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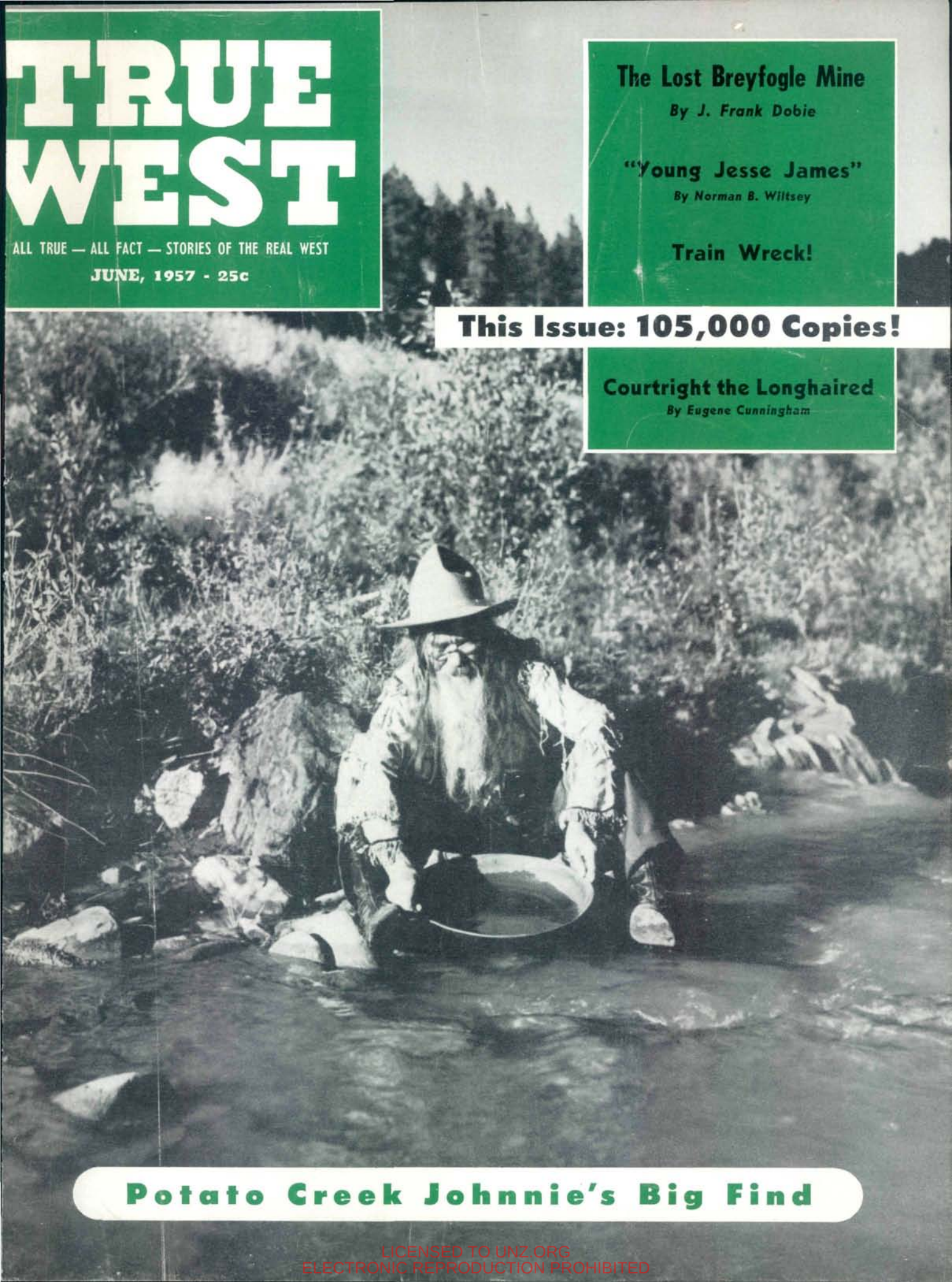

Potato Creek Johnnie's Big Find

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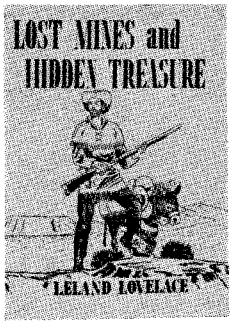
Western Americana

LOST MINES and HIDDEN TREASURE

By
LELAND LOVELACE



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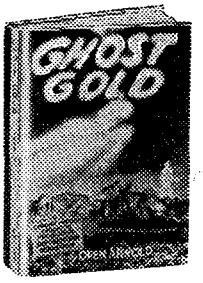

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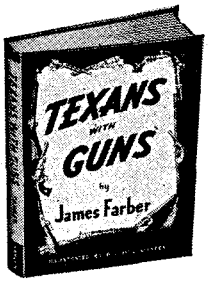

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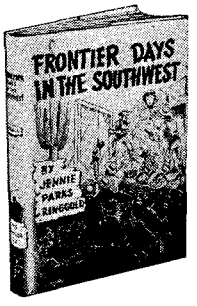

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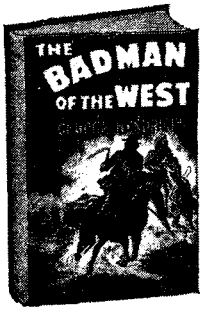

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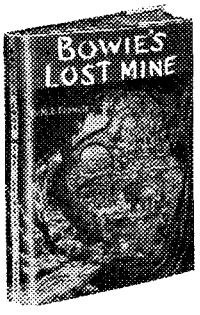

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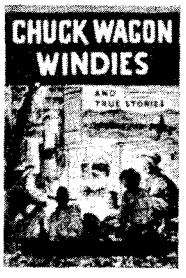

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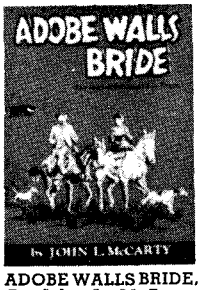

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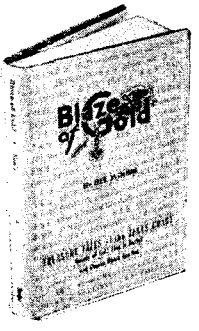

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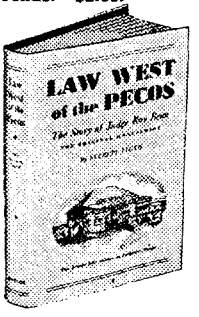

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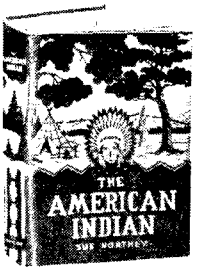

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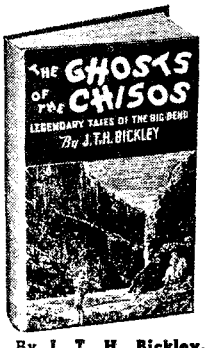

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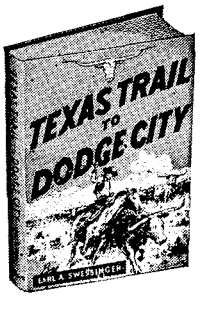

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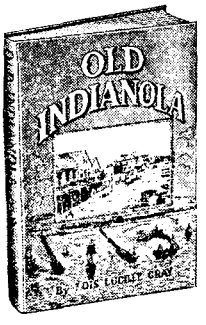

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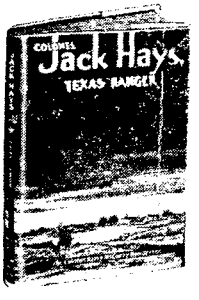

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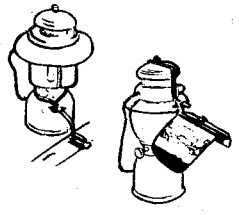

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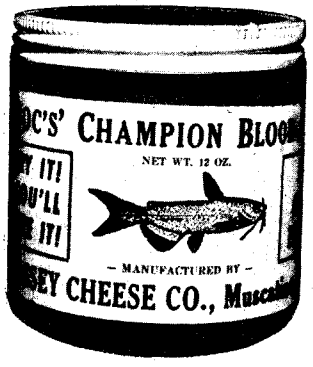

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Coming Up!

NELL MURBARGER headlines the next issue with a thrilling portrayal in text and pictures of "Seven Cities of Sin and Silver." Only from the typewriter and camera of the Southwest's famed Roving Reporter could such a story emerge—the spectacular rise, brief glory, and dusty death of seven closely grouped Nevada mining towns. Our Nell has taken her rightful place as one of TRUE WEST'S most popular authors. This piece makes her position still more secure.

"The Great Diamond Hoax," by Russell Quinn is an ironic tale of what happens when sane, sensible men of finance succumb to the lure of avarice. Two weather-beaten prospectors drifted into the imposing Bank of California with a buckskin sack filled with diamonds — and touched off the biggest fraud ever perpetrated in the West. Before the bubble burst, financiers, bankers and gem experts were involved . . . But to tell you more would spoil the story!

M. I. McCreight, a 91-year-old veteran of the Plains, tells in his own words of "Buffalo Bill As I Knew Him." Chief Iron Tail, Chief Red Shirt, the controversial Yellow Hand affair, and other incidents of the Old West appear in these reminiscenses of Mr. McCreight's. This article should do much toward settling the arguments that still rage forty years after Colonel Cody's death; as to what manner of man he really was; whether or not he killed Yellow Hand in a hand-to-hand duel, etc.

NEXT in line is J. Frank Dobie's delightful yarn "Whiskey, Skunks and Rattlesnakes." Seems a cowpuncher named Snort went to sleep one night in a dugout on the range without taking the precaution of covering his face with his hat. During the night a skunk wandered under the tarp door and bit Snort through the nose! Whiskey was the standard range remedy for skunk bite, so Snort imbibed freely. Later on a rattlesnake complicated matters . . . Oh well, you get the idea.

Mike Fink, self-styled "King of the Keelboatmen," played the game rough and died the same way. But Mike hit the rotgut more often than was good for him, and tragedy wrecked his life while he was in his cups. Martin Marecek tells the story of swaggering, boisterous Mike Fink in the next issue.

In 1911, in California, the last survivor of the Stone Age Yahi tribe of Indians was discovered. Taken to the Museum of Anthropology, at the University of California, Ishi, the Stone Age Man, was given a job as assistant janitor. For five years he lived there, taking the wonders of civilization calmly in stride. Lorena Ann Olmstead is the author of this fascinating off-trail article.

GOOD wild animal yarns are hard to come by, so it is with particular pleasure that we announce Jim Prendergast's article "Outsmarted by a Coyote." Jim claims that a coyote is the smartest thing on four legs. He has hunted and trapped coyotes for years, so he's in a position to know. Old Crooked Foot led Jim a long, merry chase, and Jim had to exchange his .30-30 carbine for a scope-sighted .270 before he won out. And—far from exulting in his victory—Jim felt sort of sorry that the long hunt was all over. "Somehow," he admits, "I got to liking the poor cuss."

Short articles include Mayanne McCarley's "Lightning on the Plains," a thrilling account of the great storms that swept the prairies; sometimes killing a trail driver and often terrifying the cattle into thunderous stampede.

Harold Gluck, in his article "Some Shooting," tells of the time John Wesley Mardin killed five out of six Mexicans in a bloody shooting scrape on the Newton prairie in 1871.

"Wild Old Days," Truly Western and The Old Bookaroos top off matters in good style.

See you later, Podner . . .

May-June, 1957
Volume 4, No. 5
Whole No. 21

True West

All True—All Fact—Stories of the Real West

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Picture above, No. 33, "First Wagon Tracks"
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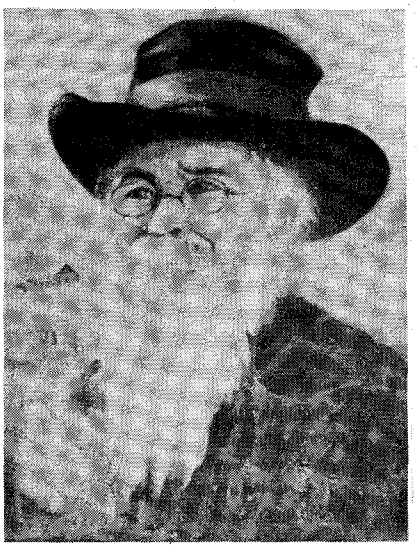


Lois Miller Photo

Life-size portrait of Potato Creek Johnnie.

POTATO CREEK JOHNNIE'S BIG FIND

BY LOIS MILLER

His was the sublime faith of the old-time prospector; he KNEW some day he'd strike it rich. Johnnie did—but not quite the way he figured

RIGHT from the start, Johnnie Perret was convinced that one day he would discover the Mother Lode. If he kept working right along Potato Creek, he was bound to find it. Every day he panned out gravel from the creek, and every day he got color. The gold was there, he was sure of it!

Humming a tuneless little song, Johnnie would shovel his gold pan full of gravel and start sloshing it in water and rocking the pan back and forth. Most days his take wasn't much, and he'd have to moisten the tip of a horny finger to pick out the few sparkling bits of gold from the sand.

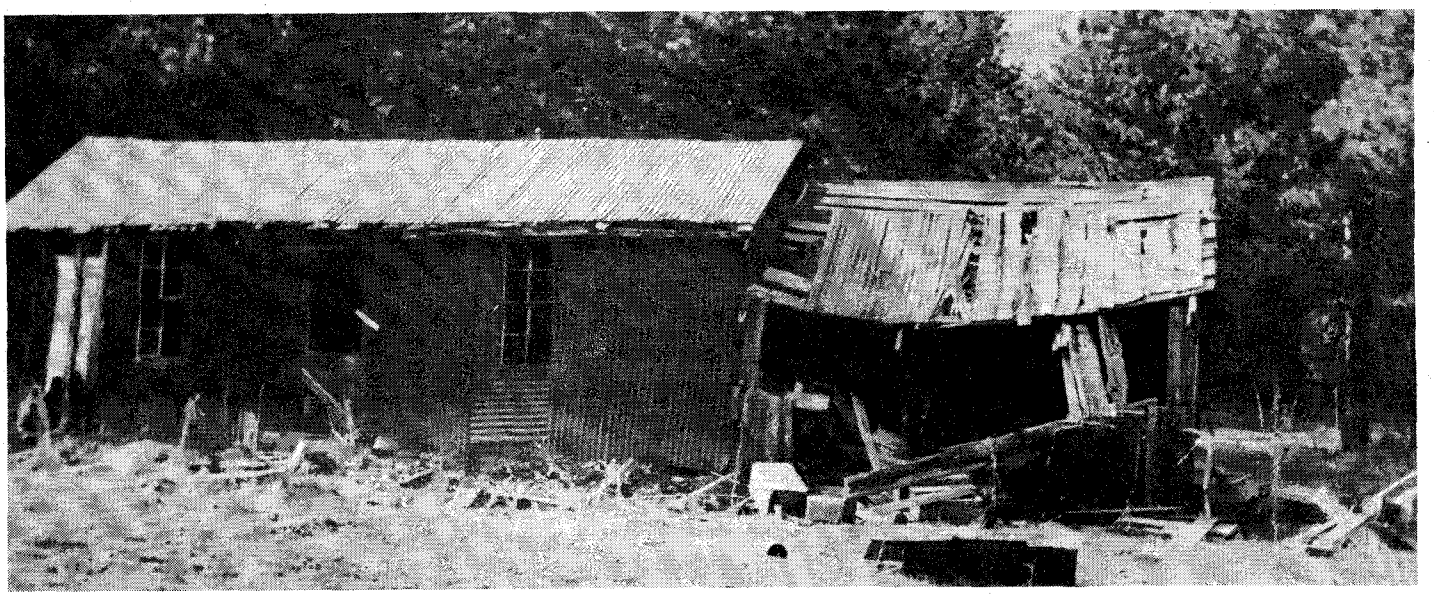
But some days were better and his take would go five to ten dollars worth, which was important money when he thought of it in terms of beans and bacon and coffee. Back over the years there were days that stood out from all the rest, days when he'd taken as much as fifty dollars for a back-breaking sunrise-to-sunset work day.

He knew the gold was there because of that historic strike made back in 1876, when Potato Creek got its name. The way Johnnie heard it, three prospectors stayed in the Black Hills so long they were caught with their grub down to one last potato.

They cut the potato three ways and ate it on the banks of the creek, so they bestowed the name Potato Creek on it. The name stuck, and they made a pretty rich find in a placer gulch about twenty miles west of Deadwood, turning up in camp with gold nuggets big enough to start a stampede.

Prospectors hundreds of miles around heard of the new strike and rushed to get in on the ground floor. All the ground floor they got was space to unroll their blankets at night, because the boys who made the rich strike had the whole gulch blanketed with their own claims before ever letting news of their good fortune leak out.

Souvenir House as it looks today, after animals, weather and humans have taken their toll.



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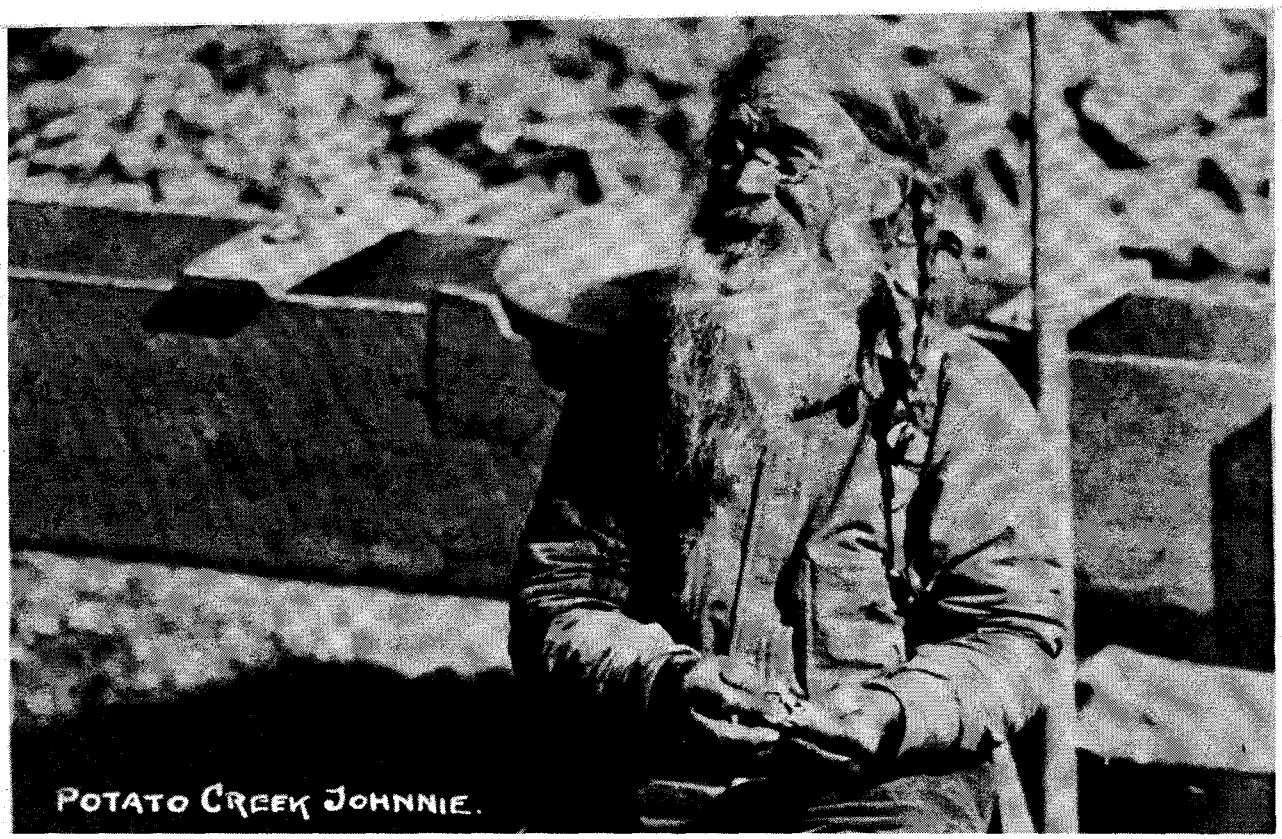

Photo Courtesy Adams Museum

Johnnie's weathered old sluice box just behind him and his "lucky" gold paw.

That find had petered out sooner than expected, so that by the time Johnnie Perret arrived in 1883 he had that particular part of the Black Hills pretty much to himself.

Johnnie was young then, and solitude suited him. He moved into an abandoned cabin beside Potato Creek a few miles from what is now Tinton, South Dakota, and went to work to find the Mother Lode.

THAT had been forty-six years ago, and after nearly half a century of shoveling gravel and sloshing water, Johnnie wasn't young any more. He had been in the Black Hills so long his blue eyes wore a steady squint from searching out the flecks of gold on the tips of his fingers. He had a snow-white beard hanging almost to his belt-buckle, and his true identity had been long lost, so that folks just called him Potato Creek Johnnie. That's the way he got his mail and the name suited him. He felt proud of it, in fact.

Yes, Potato Creek Johnnie was old in years, but his burning ambition to find the Mother Lode kept him young in mind. No man is old who still can dream of a golden future, and Johnnie never lost that dream.

"Why, the gold has just got to be right in here somewheres," Johnnie told his two closest friends, a couple of large, gray-blue birds. To others, they were known as camp robbers, but were true friends to Johnnie. The birds came regularly for feed and would eat from his hand. Sometimes, sitting on his shoulder, the birds would peck at Johnnie's braids. He wore his hair parted in two braids and wove in bright red strings at the end of the braids. These he brought together on top of his head and tied them fast. The birds pecked gently at them.

"One of these days I'll find us a nugget as big as an Idyho potato and then we'll all be fixed for life," Johnnie told his birds on a warm day in May, 1929.

The sun beat down on his back, hunting through his work shirt, but Johnnie never let up on his pan rocking and shoveling. Now and then through the forenoon he stretched his diminutive five-foot-three frame on the grassy bank where he could look up into the singing pines. They had grown tall since he came there forty-six years before, and every one of them was precious to Johnnie.

JOHNNIE rested in the heat of the day and ate his lunch, but he allowed himself only a brief time off and was soon up and at it again. He would shovel his gold pan full of gravel, then squat with his feet in the water while he rocked the pan.

Back and forth, back and forth, spilling out the unwanted gravel and splashing in more water. When the gravel was reduced to a little patch in the bottom of the pan, Johnnie began to squint at the particles through his gold-rimmed spectacles. He was very near-sighted, but he could instantly spot the merest fleck of gold.

The sun was easing down the western sky and soon it would bed down behind the hills. And then night would button down, and another day's work would be over.

"Just time for one more try . . . I feel lucky," Johnnie told the birds who had shared his lunch. The birds sat in a nearby pine and watched while he shoveled his pan full of gravel.

He pushed his battered hat back on his head, wiped the sweat from his brow with his bandanna, and took a long drink from a burlap covered jug filled from the Last Chance Saloon. The Last Chance was close to Johnnie's cabin. It was a wooden half-tub enclosing a spring, fitted with a pipe that let out ice-cold water. Johnnie always kept a tin cup there, so travelers could get a refreshing drink.

Rock-rock, splash-splash. Occasionally Johnnie would take out a magnifying glass to aid his old eyes as he squinted for gold flecks, or "colors" as he called them.

He bottled a few minute specks of gold, glanced at the lowering sun, and decided to try one more pan before quitting for the night. He filled his gold pan, took another snort from the jug and hunkered down beside the creek. It was getting cooler now, the sweat didn't trickle down his face and beard.

The late May sun brought out a bright yellow spot in the pan, something that glittered through the water. Johnnie's fingers closed down tightly upon it. He knew the feel, and let out a screeching war-whoop. The yell scared his two bird friends so that they flew away through the pines.

This was the biggest nugget that Johnnie had ever seen or heard of! It wasn't shaped like a potato, but more like one of Johnnie's old boots.

He knew gold — knew that this was the pure metal. Now at last he must be at the Mother Lode — almost. He hurried to his cabin and weighed the nugget on his gold scales. He could hardly believe his eyes when he saw that it weighed seven and three-quarter ounces. Weak in the knees, he cached the nugget on the top shelf of his cupboard and cooked supper. He was so tired his legs were cramped painfully with fatigue, so he scraped together a quick meal of squaw bread, bacon and beans, and washed the works down with hot black coffee. Exhausted, he bolted his door and hit his old featherbed. . .

TIRED as he was, he couldn't sleep. What if somebody should steal his find? He dozed fitfully most of the night and got up several times to light a match and check the nug-

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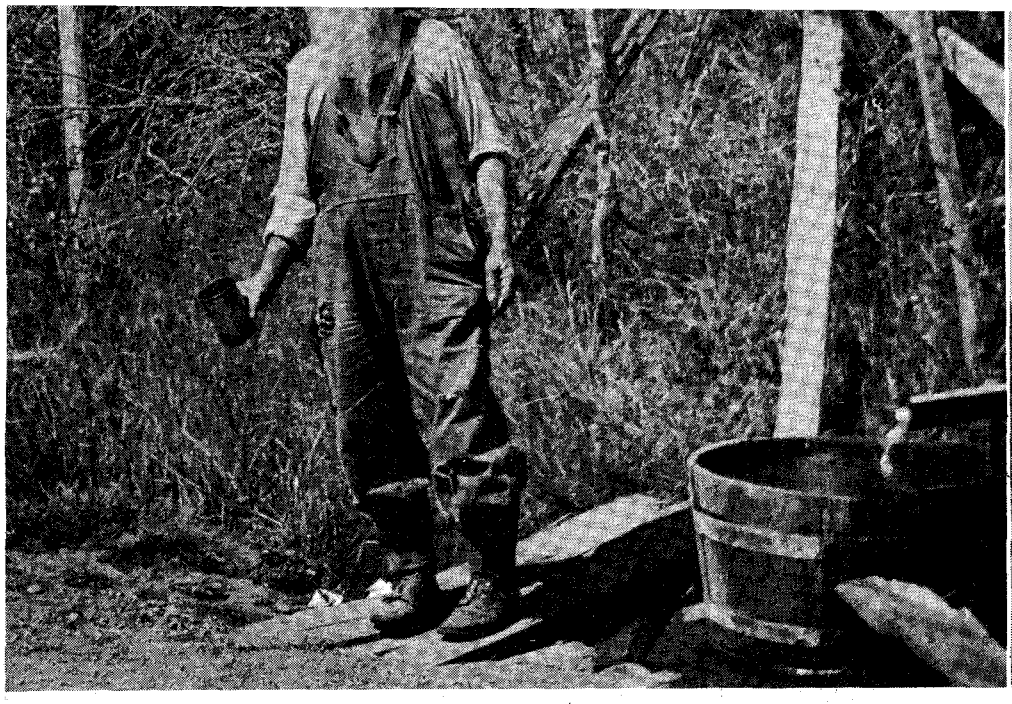

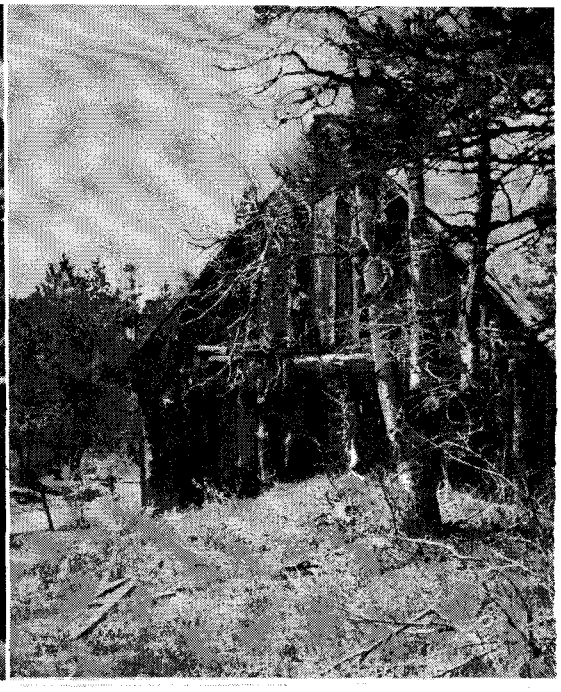

get's safety. Toward morning he fell asleep and dreamed that he had hit the Mother Lode. He dreamed of T-bone steaks so big the waitress had to hitch on a smaller plate like a trailer to hold the steak together!

After he awoke he went right on dreaming with his eyes open. The Mother Lode seemed very close now, the golden dream he had pursued since 1883 almost a reality. Whistling gayly, Johnnie arose and set the coffee pot to boiling. By gravy, he'd take his prize into Deadwood and show it off a spell before he went back to hunting the Mother Lode!

From the very moment he took the big nugget into Deadwood to show it off, fame began to nibble at Potato Creek Johnnie. People were suddenly anxious to meet him, shake his hand and buy him drinks. These anxious ones also came to Potato Creek, the little private world Johnnie had so long regarded as his own. But they found that the old prospector had played it safe—he had staked out every likely-looking claim along the creek.

Some of the less scrupulous visitors figured it would be easy to do a little hi-jacking and put something over on Johnnie. But barely would the hi-jackers get their shovels into the ground when Johnnie would appear on the scene armed with his old six-gun.

"Lookin' for something, fellers?" he'd ask mildly — or, "ain't you fellers a mite off your beat?" He'd smile when he said it, but his blue eyes were cold and steady.

It is doubtful if Johnnie would have shot a man even to protect his gold, but his Colt made the diggers nervous and soon they'd drift away.

Folks began to needle him. "Johnnie, ain't you afraid somebody'll stick a knife in your guts and take the nugget?"

Johnnie just grinned and went on shoveling harder as he searched for the Mother Lode. There wasn't enough daylight for him; he'd stop digging only briefly to wipe the sweat from his face and beard and squint his watery eyes up at the sun to see how long he could work before night buttoned down.

The nugget, with gold at only eighteen dollars an ounce, was worth about $139, but Johnnie didn't intend to sell it at that price. Time inched along and he kept hope alive in his heart as long as he went on digging. *Maybe the next shovelful of gravel would turn up the Mother Lode . . .*

JOHNNIE never found his dreamed-of bonanza, but his nugget was the biggest ever found in the Black Hills. It still holds that proud honor.

This writer is one of the few persons ever allowed to hold the nugget — briefly, that is. We had stopped at Johnnie's old cabin one Sunday morning in spring when the nugget was already locally famous.

Johnnie, in clean patched jeans and white shirt, came out to greet us. His face — except the bearded part — was freshly shaved and as pink as a baby's flank after a spanking. Johnnie always kept well shaved, although he clung to his beard and long hair.

"Did you stop at the Last Chance Saloon?" he asked us genially. That was the first thing he always asked company. We hadn't, so he escorted us back to the Last Chance and "bought" us a drink. (You can still see this old spring by the roadside. The barrel is green with moss, a rusty cup hangs nearby, and the water is so cold it is well worth a stop.)

"Ever see a really whoppin' big nugget?" Johnnie asked.

Of course we hadn't, but everybody had heard of Johnnie's big find. He reached into his shirt-front and took out a dingy tobacco sack. The nugget filled the sack quite snugly. Johnnie loosened the string, held the sack toward us — but didn't let go!

"Why squeeze the thing so hard, Johnnie?" I asked. "Afraid we'll steal it?"

"Wal now, you jist never can tell!" Johnnie chuckled. His shrewd blue eyes looked us over from head to foot. Then he chuckled again, and his gnarled old weatherbeaten hand loosened so that the nugget slid into my palm. "I reckon you're honest, M'am. There — ain't that the purtiest sight you ever saw?"

It was, indeed, a "purty sight." Measuring four and one-third inches long, it was two and three-fourths inches around at its largest point. The other end tapered down to about one inch and a half in circumference. It had the dull sheen of virgin gold, and did strange things to your pulse and blood pressure. Looking at it, one could understand how a man could spend a lifetime digging for the Mother Lode that produced such exciting stuff. The wild tales I'd heard of prospectors going mad with gold fever became very real to me as I stared at Johnnie's nugget. *It could happen,* I thought to myself, *it could really happen!*

AFTER the nugget introducing incident, Johnnie numbered us among his best friends. We became frequent visitors to his home. For a time Johnnie went on hunting the Mother Lode, and often on our visits we would find a scrawled note on brown wrapping paper pinned to his door: "I'm up at the diggin's if you want me."

Gradually, however, the outside world moved in on Johnnie and took charge of him. He sold his nugget for $250 to Mrs. W. E. Adams, widow of the founder of the Adams Museum in Deadwood. (Mrs. Adams at first placed the nugget in the museum, but now all that is on display is a replica. The original nugget is kept in a safe.)

The Deadwood Chamber of Commerce all but took Potato Creek Johnnie by the beard, using him as a tourist attraction. It is probable that if he had realized how fame was about to sneak up on him, so that he never again would have

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Left: Potato Creek Johnnie at the "Last Chance Saloon" before the Chamber of Commerce took him over.
Photo Courtesy Adams Museum

Center: Johnnie's old barn. The feed boxes and manger are still intact. Located on road between Tinton and Spearfish, South Dakota.
Lois Miller Photo

Right: Johnnie and one of his special friends. He was caught with his hair down —unbraided, that is.
Photo Courtesy Adams Museum

his former privacy, old Johnnie would have kicked up a storm of objection. But he was persuaded to snap the padlock on his cabin, so his friends the woodchucks, porcupines and squirrels couldn't get in, and light out for Deadwood.

There Johnnie let go. Sometimes he even unbraided his long hair and let it hang. Because Johnnie was genuine and dared to stay that way, he became the best camera fodder of any man in the Black Hills. Always obliging, he even "prospected" on Main Street in Deadwood to amuse the camera fiends.

Tourists by the thousands were delighted by the tales the little old prospector told. Johnnie's blue eyes twinkled as he spun his tall yarns, and nobody ever quite knew which were true and which were windies.

As Johnnie's fame spread, he received invitations to visit various big cities. He traveled to Chicago and Minneapolis several times to show the city folks how an old-time prospector panned gold. At Chicago he was literally mobbed by children and had to write his autograph for hundreds of eager kids.

"I never worked so hard in all my life hunting the Mother Lode," he said afterward — then grinned and added, "but it sure was a lot of fun!"

No matter where Johnnie went or what he did, he found fun somewhere along the line.

During Deadwood's Days of '76 parade each year, Johnnie stole the show with his little wheelbarrow as he prospected for gold. The folks of Deadwood loved the smiling little old-timer and took him to their hearts.

HE was sent to the World's Fair in New York and then to the San Francisco World's Fair. He journeyed to Canadian cities, where thousands cheered him as he appeared in street parades with his wheelbarrow, gold pan and shovel.

Johnnie enjoyed his popularity and all that went with it, including the drinks and T-bone steaks. He went real "Wild West," exchanging his patched jeans and old white shirt for a fancy suit of buckskin. Yet, as much as he enjoyed fame, he was often lonely.

"Too many people around here," he would often lament. He spoke with nostalgic longing of his many animal friends that lived near his cabin and wondered how his two camp robber birds were making out with him gone.

But even though Johnnie's path led from east coast to west coast, he would return frequently to his cabin to see if folks were respecting his "No Trespassing" sign. On these occasions, his two birds would come at his whistle to perch on his shoulders.

Johnnie's small buckskin clad figure became as familiar to Deadwood citizens as the rocks on Mount Moriah; as he often wryly remarked, he might as well have "lived in a big glass bowl."

But complain as he might, he didn't shuck the soft life he was living and return to his cabin. He resided in first-rate hotels, ate steak whenever he wanted it and rubbed elbows with tourists from all over the world. Civilization had its trials and tribulations, but Johnnie stuck with it just the same.

Johnnie was an everyday guest at the Adams Museum, where tourists liked to ask him about the nugget on display there. One day a young lady told others of her party that she would "prove the old boy is a phony."

She went over to Johnnie and gave his white beard a hard yank. Tears of pain came into the little man's eyes.

The girl's face flushed with embarrassment when the beard didn't budge. Johnnie kept his temper and the flustered girl walked rapidly away.

In his later years as he traveled about, Potato Creek Johnnie was often referred to as the Ambassador from the Dakotas. He never acquired any degree of wealth, but he made a host of friends from coast to coast. His hair grew white to match his beard, and his rickety legs bowed still more. There was always somebody at his elbow saying, "Name your pizen, old-timer—I'll buy it."

JOHNNIE died in 1947 in Deadwood at the age of seventy-six. His funeral was an event comparable only to the annual Days of '76. Hundreds jammed to full capacity the Masonic Temple where the last rites were held. From every part of the country came floral offerings paying the last tribute to the gentle little man. While the bells in the Adams Museum were tolled softly seventy-six times, his body was carried to Mount Moriah Cemetery and interred beside Wild Bill Hickok and Calamity Jane. Thousands of people visit his grave each year.

After Johnnie's death, his ramshackle cabin and diggings became a mecca for the curious. Tourists pawed over his kerosene lamps and gas lanterns and gold scales, and took what they wanted of his belongings. Some of his possessions were rescued and today are safely housed in a huge glass case in the Adams Museum. There are several pairs of his tiny shoes — boy's shoes you would think if you did not know who had worn them. There is one pair of his boots, and one of his red flannel undershirts. His old violin and case, his guitar, gold-rimmed spectacles, and many other items are on display.

Today the porcupines, chipmunks and squirrels have moved into Johnnie's cabin and taken it over for their own — and that is the way Johnnie would have wanted it. The Last Chance Saloon is pretty much as he left it; the rusty cup still hangs by the spring and the clear, ice-cold water is just as refreshing to the weary wayfarer as it was in the days when Johnnie was hunting the Mother Lode.

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"YOUNG JESSE JAMES"

BY NORMAN B. WILTSEY

Illustrated by Randy Steffen

It's hard to play the role of a daring two-gun desperado when the Mounties keep dogging your trail

EVEN as a kid in grammar school, Ernie Cashel figured that Fate had dealt him a raw deal by bringing him into the world thirty years too late for high adventure. Raised in a small Wyoming cowtown, Ernie longed to be a two-gun desperado like the heroes of the lurid dime novels he read on the sly. In trouble early and often throughout a turbulent adolescence, young Cashel landed in jail for armed robbery *a la* Jesse James at the ripe age of nineteen.

As with most delinquent youngsters, Ernie's criminal education really began in jail. A hardened convict took the punk kid in hand and taught him the ropes of the sordid business of crime. By the time Ernie had served his two-year sentence, he was ready to put his newly acquired knowledge to work making a fast and dishonest buck.

It wasn't easy; the glamorous bandit era of the James Boys was far in the past. Wide-spread use of the telegraph and telephone made it decidedly risky to rob banks, and modern express trains traveled too swiftly to be boarded and sacked in the traditional dashing manner of the old Wild West. Disgusted with the lack of opportunity in Wyoming, Ernie headed for Canada. There, in Alberta, still existed a frontier of sorts that promised rich pickings for an ardent student of Jesse James sporting a prison-earned diploma in the technique of modern crime.

Arriving in Calgary in mid-October of 1902, Ernie promptly forged a check for one hundred dollars and blew town on a prospecting tour westward. He didn't get far. Constable Rubbra, of the Northwest Mounted Police, picked him up in a little prairie town sixty miles away and wired the Calgary police chief to come get his man.

The chief, a kindly man, got to talking with his youthful prisoner on the train back to Calgary. "What made you pull such a fool stunt, son?" he inquired sorrowfully. "You must have realized you couldn't get away with it."

Ernie hung his head and blubbered like a whipped schoolboy. "I was broke and hungry," he whined. "All I wanted was a stake to get out of town and find a job on a ranch."

He bawled and sniffled until the harassed chief was only too glad to grant his tearful request to go to the washroom and spruce himself up. Trying unsuccessfully to ignore the indignant glares of his fellow passengers, the chief tagged along to play watchdog outside the door.

Twenty minutes passed and his woebegone prisoner failed to emerge from the washroom. The chief got worried. He rapped on the locked door and called, "Cashel! Are you all right in there?"

No answer. The alarmed officer got the brakeman to force the door, but they didn't find Ernie. The window was wide open, where the slender and agile youngster had wriggled through the narrow opening to drop on the prairie from the leisurely moving train.

Young Jesse James had made a clean get-away!

EXASPERATED, the Mounties took over the case from the duped police chief. At first inspection their job didn't appear difficult — merely to run down a twenty-one-year-old boy afoot on the wide prairie. The Force was soon to revise its opinion of Ernie Cashel from Wyoming.

Winter was fast approaching, the thermometer already dipping well below the freezing mark. Cashel had neither food, a coat to keep him warm nor a horse to ride. A serious problem for anybody but Ernie, who simply walked into a ranch-house near Lacombe, smiled his boyish, appealing smile and begged a horse, grub and a warm woolen coat. Delighted to meet such a fine lad, although puzzled at his being afoot and coatless on such a bitter day, the ranch-owner willingly staked him to an outfit. The gentleman was vastly surprised to learn next day from the Police that his personable guest, "Bert Ellsworth," was an American ex-convict wanted in Calgary for forgery and escape from an officer.

All Police Posts in the region were alerted to look for a wiry youth wearing a gray coat and riding a dark-bay horse. For nearly a month the hunt continued in vain with not a clue showing anywhere. Then, in Lacombe, Constable Alec Macleod heard from a visiting settler named Thomas that a young fellow who called himself Ellsworth was stopping at the home of his uncle, Rufus Belt. Alarmed at the news that Bert Ellsworth was an ex-jailbird and possibly dangerous, Thomas rode with Macleod to Belt's lonely homestead on the Red Deer River, thirty-eight miles east of Lacombe.

The house was deserted when Macleod and Thomas arrived at the small ranch on the Red Deer. The door stood wide open, though it was early November and an icy wind whipped across the prairie. Rufus Belt was nowhere about.

Anxiously searching the premises, Thomas hopefully concluded that his uncle and Cashel had ridden off together on a hunting trip. Belt's cream-colored saddle horse was missing from his stall, as were his shotgun and revolver from their racks on the kitchen wall. The hunting trip theory was exploded when further search revealed that Belt's best suit of corduroy had also disappeared along with the contents of a tin money-box. Thomas recalled that his uncle usually kept several hundred dollars in the box, and distinctly remembered Mr. Belt placing an American $50 bill in the box on the occasion of his last visit to the ranch two weeks before.

To Macleod the set-up looked ominously like murder and robbery. He made a hasty search of the house, corrals and barn and both banks of the nearby river. Not a clue presented itself. Constable Macleod left the bewildered Thomas at the ranch and rode off to question Belt's scattered neighbors. None of them could offer any information as to the rancher's whereabouts. One of them "thought" he had heard two horses passing his cabin at midnight "about a week ago." Macleod pushed on.

At a distant ranch, the Constable located Belt's saddle in the possession of a cowhand. The man said he had bought it for a few dollars from a young American riding a dark-bay and leading a fine cream-colored horse. The American was alone and had ridden on westward without staying the night.

This looked like a hot lead, but, try as he would, Macleod couldn't develop it further. Ernie Cashel had vanished as completely as though he'd ridden into a hole in the bleak hills and pulled it in after him.

DECEMBER blew in cold and stormy in Alberta, with the temperature plummeting below zero. Somewhere out on the storm-swept plains Cashel was holed up like a prairie dog. The weeks slid by and Christmas and New Year's came and passed without sign of the fugitive or of his supposed victim. Con-

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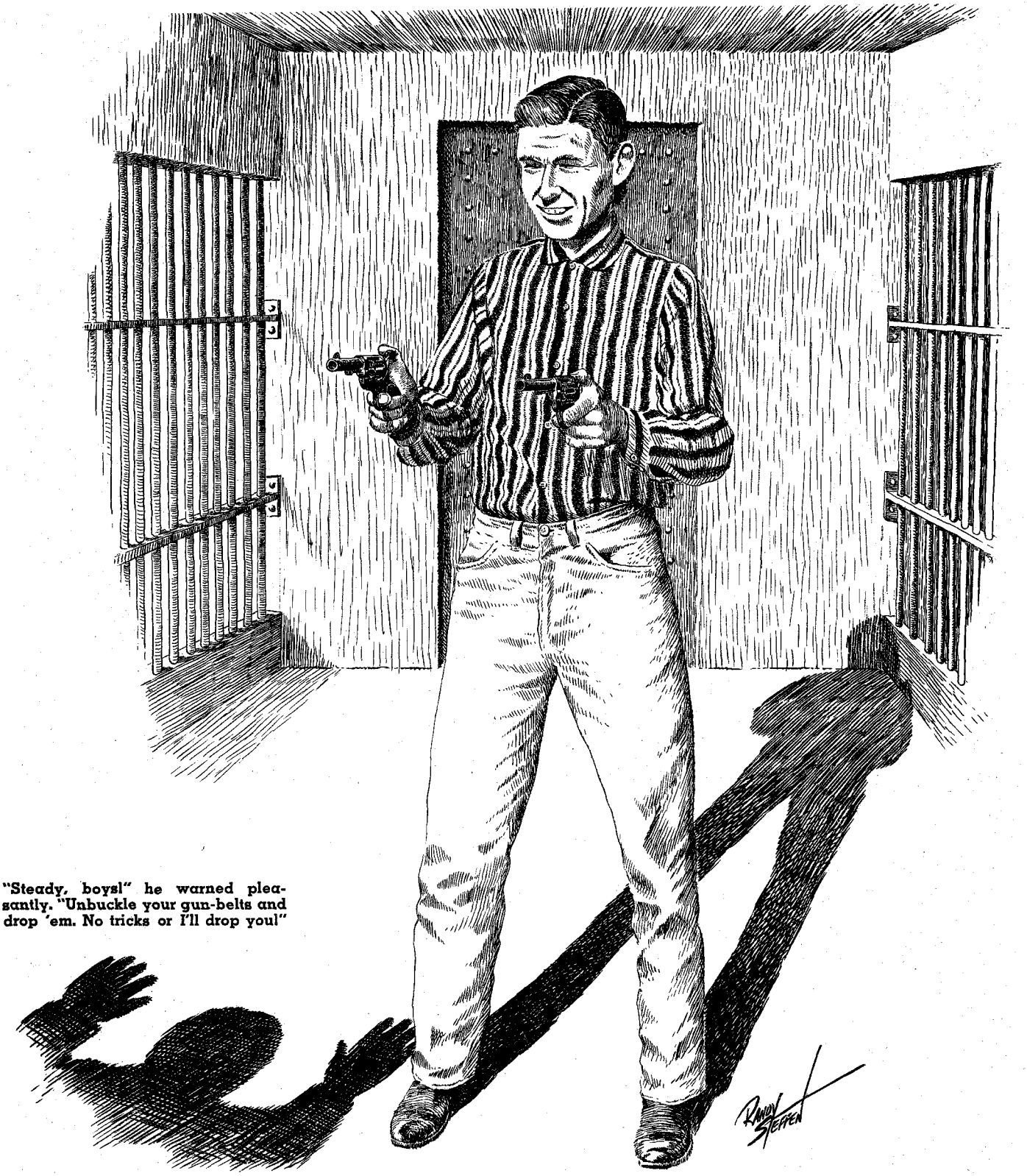

"Steady, boys!" he warned pleasantly. "Unbuckle your gun-belts and drop 'em. No tricks or I'll drop you!"

stable Pennecuick was now working on the case, the same brilliant sleuth who had trapped the infamous "triple killer of the Yukon," George O'Brien, and sent him to the gallows a year and a half before.

Anybody but a bulldog like Pennecuick would have chucked the fruitless manhunt until spring made the going less rigorous. The Constable detective went on doggedly scouring Alberta from one end to the other, questioning cowboys, half-breeds and Indians, farmers and townsmen, searching, always searching for a cocky kid suspected of murder. In mid-January, at a "breed" village near Jumping Pond, Pennecuick received his first break.

The half-breeds had an interesting story to relate to the visiting Policeman. Shortly before Christmas a handsome young man driving a mismatched team attached to a two-wheeled rig had arrived at the village in the midst of a raging snowstorm and asked shelter for the night. Queried as to his name and business, the youth had grinned and declared that he was an American tourist named Nick Carter.

"Nick Carter" settled down for a lengthy stay at the village and quickly made a great hit with everybody — especially the girls. The good-looking stranger sang American cowboy songs in a pleasing tenor voice and shook a merry hoof at all the dances. Oh, he was a gay one, was the young American — the kind of lad one delighted in doing favors for! Needing woolen underwear and ammunition for his shotgun and revolver, the youth had commissioned an obliging half-breed to buy these items for him at the nearby trading post. He had paid for his purchases with an American $50 bill. Next morning, "Nick Carter" had driven off toward the west without even lingering to bid farewell to his numerous lady-friends.

How long ago was that? A week before *M'sieur le* Constable's arrival at the village.

The long-cold trail was heating up. Pennecuick recovered the $50 bill from

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the trader and learned that Cashel had swapped Belt's corduroy coat and vest for a flashy red-and-white *capote*. On the lining of the coat, Pennecuick discovered a dark stain resembling blood.

Westward Pennecuick trailed the fugitive, but caught up with his quarry just too late to make the arrest himself. Pennecuick's fellow officer, Constable Blyth, ran down the murder suspect in the frontier village of Anthracite. Hiding out in a rooming house, Cashel made one quick move toward his six-gun and found himself looking down the barrel of Blyth's service revolver. Beaten to the draw, Ernie laughed easily and raised his hands. Blyth put the cuffs on his man and escorted him back to Calgary Jail. Pennecuick returned to the Belt ranch to renew his hunt for the missing owner.

THROUGHOUT the rest of the winter and on into the spring, Pennecuick went over Belt's house and land foot by foot hunting a clue to the mystery of his whereabouts. Nothing showed. As soon as the ice left the Red Deer River, the Constable hired men and boats and supervised extensive dragging operations of miles of river above and below the ranch. No results.

Back in Calgary, Ernie Cashel went to trial and drew a three-year penitentiary sentence for theft, forgery and escape from an officer. Tough guy Cashel received the verdict with a sneer and a flippant wisecrack to the effect that he "could do *that* stretch standing on my head!"

Ernie was safely behind prison bars, but Pennecuick was far from being satisfied with that. In a painstaking search that for sheer stubbornness and thoroughness equalled his monumental work in the O'Brien case, the Constable continued hunting the missing rancher Belt. Through May, June and well into July the indomitable officer worked on, redragging the river from bank to bank, combing the tangled brush along its shores.

Recalling that George O'Brien had disposed of the bodies of his victims in the Yukon River, Pennecuick suspected that Cashel had similarly utilized the Red Deer to hide the murdered body of the old rancher who had befriended him. On July 23rd, 1903, the hunch paid off. The body of Rufus Belt was found at the mouth of a creek twenty miles below his ranch. The elderly man had been shot through the heart. Identity of the partially decomposed corpse was established beyond doubt by a deformed toe on the left foot and an iron clamp on the heel of the left boot.

Cashel was brought back from Stony Mountain Penitentiary to stand trial for murder. This time the arrogant boy outlaw didn't sneer at the judge when sentence was pronounced. Ernest Cashel was sentenced to die on the gallows for the murder of Rufus Belt.

CASHEL'S FAMILY, back in Wyoming, was informed of his trial and the resultant death sentence. John Cashel, a brother, came to Calgary at once. John, a serious young man with all of Ernie's charm and none of his sneering cynicism, appeared dazed at his kid brother's impending doom. The guards at the prison humanely gave him a break, allowing him to talk to Ernie daily for a ten-minute period.

A terrific blizzard hit Calgary five days before the murderer's scheduled execution at dawn on December 15. John Cashel arrived at the prison shortly after 6 o'clock on the evening of December 10 for his final visit with Ernie. The guard on duty in the corridor watched sympathetically as John leaned weeping against the bars of Ernie's cell. The condemned boy reached through the bars to put his arms around John, and begged him not to cry. It was indeed a heart-rending scene, and the burly police officer averted his eyes and loudly blew his nose as the devoted brothers made their last farewells.

Twenty minutes after John left the prison, the death-watch was relieved. Cashel was ordered into the corridor while the prison Superintendent and the officer on duty searched his cell according to the daily custom. Finding everything okay, the officers stepped back into the corridor and invited Ernie to return to his cell. Both hands shoved deep in his jacket pockets, the young killer grinned broadly at them and refused to move.

"Come on, young fellow — hop it!" snapped the Super in exasperation. He took one stride toward Cashel — and stopped short in stunned surprise. Ernie's hands had whipped from his pockets — a snub-nosed revolver in each.

"Steady, boys!" he warned pleasantly. "Unbuckle your gun-belts and drop 'em. No tricks, or I'll drop *you*!"

For a tense moment the Super hesitated, weighing his chances of bluffing the murderer or shooting it out with him. Cashel read his desperate thought.

"I said *drop* it, pal," he smiled thinly, "not *pull* it!"

The Super dropped it like a hot potato.

"That's better!" approved Ernie. "Now both of you step into my little nest here and I'll lock you up nice and cozy for the night."

The Super stood motionless, sweating profusely, still groping mentally for something, anything, to turn the tables.

Cashel's easy smile left his boyish face like a light blinking out. Deliberately he cocked both guns. "Make up your minds — *fast!* I can't hang any higher for three killings than for one!"

Both officers stepped inside the cell. Ernie, smiling again, demanded the door-key and locked them in. Nonchalantly the killer hobbled down the corridor to the guard-room office, stepping short and carefully in his leg-irons. Within seconds he returned, herding the desk officer before him. Relieving him of the keys to the leg-irons and to the outer door, Ernie locked the desk man in with his fellow officers. Shedding his cumbersome fetters, the killer bade his erstwhile captors a cheery goodnight and walked boldly out into the storm.

THE roaring blizzard that swept Calgary that bitter December night was a gentle zephyr compared to the fierce storm of newspaper criticism that rocked all Canada next day. The prison Superintendent and his two guards were placed under arrest pending investigation, and the Mounted Police gritted their teeth and set about capturing elusive Ernie Cashel for the third time!

Again the job proved tough. Loyal John Cashel, well loaded with food, revolver cartridges and a new pair of shoepacks, had been picked up on his way to the prison within minutes of Ernie's escape but flatly refused to talk. Somehow the brothers had messed up their private time-table, and John landed in a cell as a result of their confusion. Later he received a prison sentence for his part in engineering Ernie's escape.

Three days passed without a sign of the fugitive killer. December 15 arrived, the date set for the execution, and with it belated news of Ernie. The murderer sneaked into an outlying ranch-house while the owner was in town, stole an outfit of warm clothes and left his own torn and dirty rags piled atop a taunting note signed with his name.

One hundred angry Policemen accepted Cashel's insolent challenge to hunt him down. For days and weeks it seemed that they would have been just about as successful trailing a ghost.

Christmas Day brought fresh news of Ernie — a note mailed to a prison chaplain, the Reverend George Kerby, with the courteous request that he turn it over to the District Commissioner of the Mounted Police. The note was a little gem of calculated impudence.

"How are you making it, Mounted Police?" gibed Ernie. "I'm still in good shape and expect to remain so in spite of you Mounties. If you do get me, it won't be alive. Just tell Mr. Radcliffe (the hangman) to go back to Ottawa and take his rope with him.

(Signed) Mysterious Man

P. S. I'm going to stay in Calgary for some time yet."

The handwriting was unmistakably that of Ernie Cashel.

$1,000 reward was now posted for the daring boy killer. Superintendent Sanders took personal command of the numerous Force detachments working out of Calgary on the hunt for the murderer. For nearly three weeks Sanders' men combed the town and surrounding countryside for miles around without results. No doubt about it — young Jesse James from across the border was the slickest fugitive the Mounted had trailed since their long search for the tricky Indian killer, Almighty Voice, back in 1896 and '97.

ON JANUARY 12, Cashel dropped in on a farmer living a few miles from Calgary, threw a gun on him and demanded food. After lunch he pulled up a comfortable chair near the kitchen stove and read the newspaper to catch up on the latest operations of the police. Angered by the jailing of his brother John, Ernie tore up the paper, hurled the pieces in the scared farmer's face and disappeared into the woods behind the house.

Nine days later Ernie popped up at a ranch in Shephard, twenty miles away. Again he demanded and received food at gun-point, read the newspaper and vanished like a wraith into the snow-covered prairie. The police ringed the whole Shephard area and cautiously closed in.

Inspector Duffus, leading a posse of armed civilians sworn in as Deputy Police officers, encountered a cowhand on the Pitman ranch who had spotted a stranger hanging around the fields the day before. Hailed by the ranch employee, the stranger had covered his face with the collar of his coat and hurried away.

Inspector Duffus divided his men into two groups commanded by himself and a Constable Biggs and began a methodi-

(Continued on page 33)

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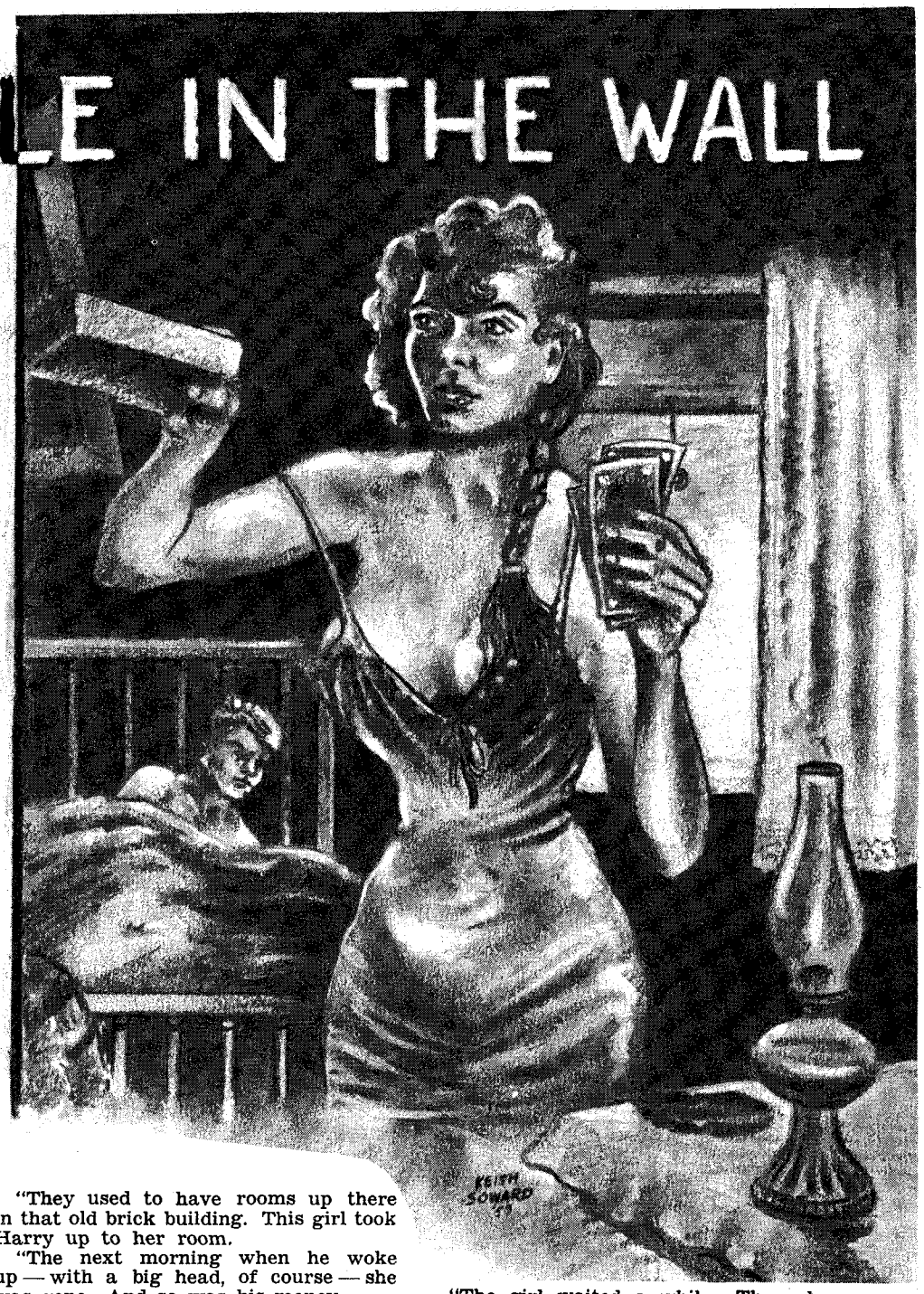
THE HOLE IN THE WALL

BY FOREST CROSSEN

Illustrated by Keith Soward

The pretty dance hall girl stretched her luck a mite too far when she tried to fool a cowpuncher TWICE!



GUY NEVILLS pointed to a photograph of old Fort Benton, Montana, and began to laugh. "You probably think I'm loco, laughing like this, but that old brick building there reminds me of something that happened to a partner of mine in Fort Benton. Plenty of things used to happen in that old town, you know."

Guy was right as four aces in a row. For sheer color, excitement and romance, few western towns approached Fort Benton. Benton, head of navigation on the Missouri River until the railroads crossed the northern plains, was the social and trading center for a vast area. It began as a fur trading post, served as supply town for the gold camps of Virginia City and Helena, and later became trail's end for herds of Texas longhorns and a ranchers' town.

"Harry McCune and I were in Fort Benton for a little fun. We'd just come in off a roundup in the Bearpaw Mountains. Harry used to drink hard . . . and he was a fighter. He was a slender little man, but he was powerful.

"I didn't drink or gamble, so Harry gave me his money — all except fifteen or twenty dollars. Right away he started in to drink in the saloons along Front street."

Front Street, stretching along the Missouri River, was lined with saloons, gambling houses, dance halls, hotels and restaurants. During the great steamboat days it ran night and day. That tradition lingered.

"That first night," continued Guy, "Harry met a girl in a dance hall. She was a good-looking girl and they took up with each other right off. He bought a lot of drinks, which she received a percentage on. Of course, she never drank whiskey; what the waiter brought her was cold tea. Harry got pretty drunk.

"They used to have rooms up there in that old brick building. This girl took Harry up to her room.

"The next morning when he woke up — with a big head, of course — she was gone. And so was his money.

"He hunted me up and we had breakfast. He was pretty sore, so I bought him a couple of eye-openers, hoping he wouldn't see the girl until he got to feeling better.

"That evening he asked me for five dollars. He was straightened up in good shape by this time. 'Along about the time the dance hall closes,' he said, 'I want you to go down to Charley Green's livery stable and saddle up our horses. Take our things down there and wait.'

"I gave him the money and laid a hand on his shoulder. 'Don't you kill nobody. You're up to something.'

" 'Don't worry about that. Just you be down there waiting, after I go up to the room with this girl.'

"I watched him dancing with the girl, who never let on that anything had happened. Pretty soon they were as thick as fleas. About midnight they pulled out together.

"Right after Harry hit the bed, he went to sleep, like he was drunker than all get out.

"The girl waited a while. Then she got up and took his money out of his pants pocket. She went over to the wall, pushed aside a picture and took out a loose brick. She put the money in, replaced the brick and came back to bed.

"Harry had been lying there, watching every move she made.

"After a while he got sicker than the devil. 'I've got to have some Jamaica Ginger,' he told her, tears streaming out of his eyes. 'I'm one sick human. Hurry up!'

"It was two or three blocks to the nearest saloon, but she put on her clothes and away she went.

"Right away Harry was up and dressed. He went over, pushed aside the picture and took out the brick. He grabbed what money there was, slipped out the back way and came down to the livery barn.

" 'Let's go,' he said. He wasn't any more drunk than I was and there was a happy ring in his voice.

(Continued on page 30)

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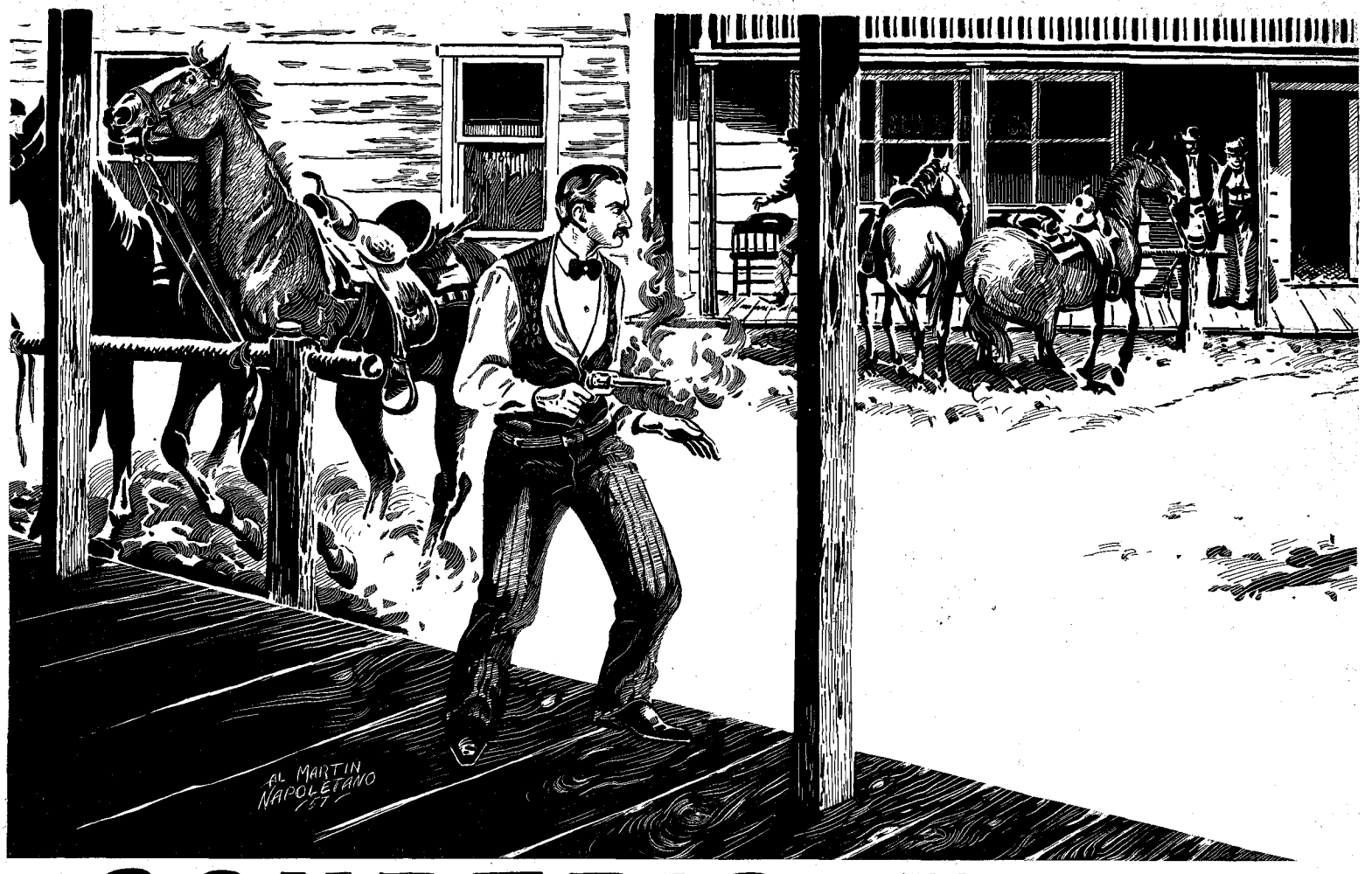

COURTRIGHT THE LONGHAIRED

BY EUGENE CUNNINGHAM

EVERYBODY knows of Wild Bill Hickok and Billy the Kid; many have heard or read of Wyatt and the other Earps; of Bat Masterson. But the old-timers who knew them all say that one man never gets due credit for being a topflight gunslinger—and that man is Jim Courtright. And that is strange, since Courtright was just as game, just as deadly with a six-gun as Hickok, the Kid, Wyatt Earp, or any of the gun-fighting fraternity. All Jim lacked, it seems, was the publicity that made the others so famous.

Courtright's earliest history is little known. Like most gun-fighters, he lived only in the present, with hardly a thought for the future and never a thought for the past. He was born in Iowa about 1848. He served in the Civil War under General John A. Logan and he was still a young man when he wrote on his Iowa door the mystic letters G.T.T.—Gone to Texas.

Above average height, dark-eyed, with black hair worn shoulder-length, Courtright was a figure to note in any company. He had guts. Courage, plus rare skill at handling weapons, coupled with a thorough knowledge of the frontier, made him an excellent prospect for an Army Scout. His old Civil War commander, General Logan, took him on in that capacity, and he served with the Army over much of northwest Texas, Arizona and New Mexico.

After Courtright quit the Army, he got a job as Chief of Police in Fort Worth. Fort Worth, during the 70's and 80's, was a two-fisted town. It was no place for a weak-kneed officer of the law. The city marshal—as police chiefs were called then—kept order in whatever manner he could. Jim Courtright found plenty of opportunities to display his cool nerve and speed and accuracy at gun-play.

Politics was Jim's weakness. His Army life, perhaps, made him a natural partisan. He had to be on one side or the other. This tendency lined him up with one faction in Fort Worth politics. Unfortunately, he picked the weaker faction and so lost his job after the next election.

At this time, in El Paso, Colonel A. J. Fountain, of Mesilla, New Mexico, was having an earnest conference with Texas Ranger Captain Jim Gillett. Colonel Fountain was an important figure in New Mexico politics and interested, also, in the new mining camp of Lake Valley, above Rincon in New Mexico.

FOUNTAIN had come to El Paso to talk to Captain Gillett about this wild community. It was a rip-roaring, twenty-four-hour-a-day place, comparable to the wild Kansas cow-towns at the end of the Chisholm Trail. What Lake Valley needed most was a marshal of the Earp or Masterson type—a man of cold nerve, good judgment and deft skill with a Colt or a sawed-off shotgun.

"You come up and take the job," said Fountain to Gillett. "I'll pay you double what you're drawing here. I know what you've done for El Paso and, to my mind, you're the man for us."

"Declined with thanks!" Gillett told him flatly. "I'm tired of trouble and gun-play. I'm going into the cow business real soon now. I'm going to be a rancher, not the new marshal of Lake Valley."

Fountain was disappointed at Gillett's refusal, but knew that it was no use to argue. "Who else do you recommend for the job?" he asked Jim.

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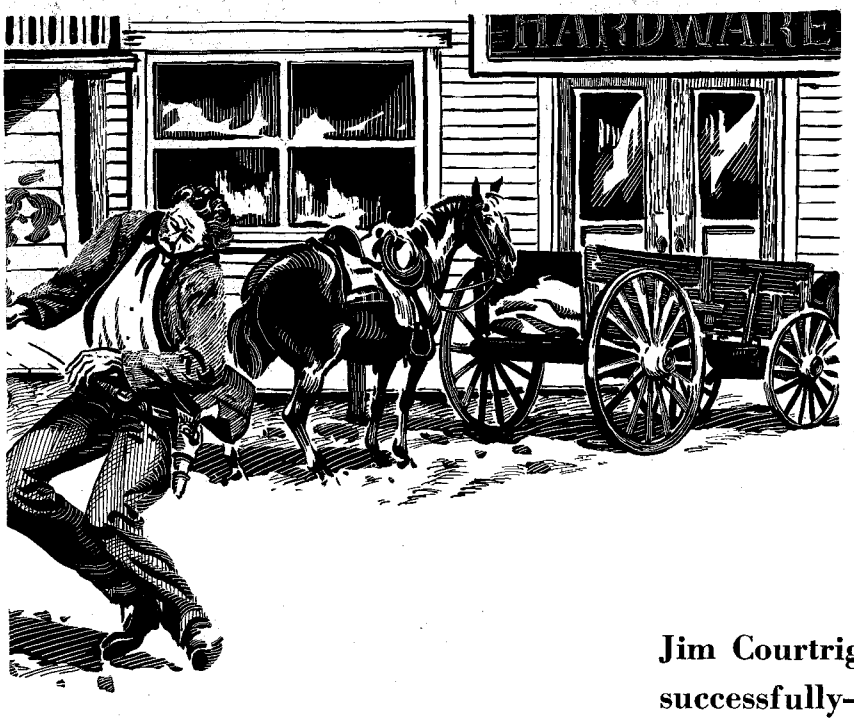

Illustrated by Al Martin Napoletano

Down went the longhaired gunman.

Jim Courtright operated on both sides of the law successfully—until he met the little man known as "The Undertaker's Friend"

"Jim Courtright, the old Army scout," Gillett replied instantly. "He can't be bluffed. When he has to be, he's a gunfighter from the hard water forks of Bitter Creek. He's as good as anybody I ever heard of—and I'm not barring John Wesley Hardin, Ben Thompson, or anybody else. He's been marshal up at Fort Worth, but lost that job through politics. If he'll come to Lake Valley, you'll see your hard cases high-tailing it for a healthier climate."

"Wire him", said Fountain promptly. "Offer him the job in my name. If he's the man you think he is, he'll be our best bet, since you won't come."

So Courtright came to El Paso. Gillett explained Fountain's proposition and took him to see the Colonel. The politician was much impressed with Jim's intelligence and air of self-assurance.

They came quickly to agreement and departed for Lake Valley together. Here, Fountain introduced Courtright around the camp, and the new marshal settled himself in the job. Two ore thieves had been making life miserable for the mine owners. They had the bad judgment to tackle Courtright in a gunfight and paid for the grievous error with their lives. Thereafter, Jim went about his duties with such grim efficiency that, as Gillett had prophesied, Lake Valley's badmen high-tailed for places where no Jim Courtright was riding herd on civic affairs. Lake Valley became downright peaceful for a mining camp of that turbulent era.

When the mines played out, the population drifted to other, newer camps—and the marshal's job played out with the mines.

Now, General Logan again came to Courtright's aid. He sent for Jim and told him that he had a job for him. The General owned a cow ranch in the American Valley of New Mexico. It was a sizable and valuable spread—but produced no profits for its owner, which was the reason for Logan's thought of Jim Courtright. The range was being cluttered up with squatters; the herds were suffering from the bold depredations of rustlers.

General Logan offered Courtright the job of foreman. At the moment, the General needed the services of a crack gunfighter more than those of an experienced cowman. The pay was good; the job offered plenty of excitement. Jim took it.

THERE are conflicting stories as to the rights and wrongs of the case of Logan vs. the Squatters. Everywhere in the West, the nester problem has been a tangled one. The big ranchers, with much money invested in their herds, occupying free range by reason of pre-emption, naturally felt that the hoe-man might have the law on his side, but did not have justice.

The nester claimed that he was perfectly within the law when he settled on a choice section of watered land. It was public land; therefore, it was as much his as the cattlemen's. But the cowman, seeing the water upon which his cattle depended fenced in by the nesters, was naturally provoked. He had to fight to retain his land and water or get out of the country. Since he had been first in the country, the cowman decided to fight rather than accept ruin merely because a vague and far-away law maker sided with the squatters.

At any rate, Jim Courtright had been given the job of freeing the Logan range of squatters. Being the man he was, he tried to earn his wages. He served notice on the squatters and moved to see that his notices were heeded.

Two Frenchmen had squatted on a nice bit of the Logan range. One day, Courtright rode down with a companion, a well known Panhandle gunman, Jim McIntyre, to eject the squatters.

The rights and wrongs of the whole business are lost in the mists of the years. But the argument with these Frenchmen ended with the swift, deadly blasting of the gun-fighters' Colts. Courtright and McIntyre rode away from two bullet-torn corpses.

There was plenty of squatter sympathy in the country, so the killing of the Frenchmen roused wide-spread and bitter feeling. Warrants were sworn out; Courtright and McIntyre were charged with murder. Both men lit out of the region to save their necks.

They parted in Fort Worth. McIntyre, thoroughly scared, headed for South America; Courtright hung around Fort Worth.

A New Mexican officer named Richmond presently arrived in Fort Worth looking for Courtright. He had warrants issued by the Governor of Texas in response to a formal requisition made by the Governor of New Mexico. But Richmond chose not to deal directly with the arrest of Courtright. Lieutenant Grimes and Corporal Hayes, Texas Rangers, were to assist him in making the arrest, if and when he requested their assistance.

Adjutant General W. H. King speaks caustically of "the mystery with which this agent saw fit to surround his movements." Old-timers who saw it all say that the mysterious, seemingly meaningless actions of Richmond were an attempt to throw Courtright off guard.

The arrest was finally made on Saturday, October 18, 1884. Excitement spread over Fort Worth at the news. There were, so General King remarks, "a long train of antecedent circumstances and rumors revolving about Courtright and his alleged crime," which "caused an outburst of real or as-

(Continued on page 35)

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Fireman Frank Barnes

Sixty years have passed since the spectacular "Crash at Crush, Texas," yet here—for the first time—is the TRUE story of the great Texas

Train Wreck

BY FRANK BARNES

Photographs by Deane

IN the spring of 1896, William G. Crush—later general passenger agent for the M.K.T. Railroad—was on a trip from New York to St. Louis when the engine exploded and wrecked the train.

Crush saw the big crowd that gathered, and asked himself: "If all these people will come to see a train wreck *after* it has happened, would not thousands more come to see a real wreck well advertised in advance?"

Crush was quite a showman, and he determined to put his idea across. He went to the top officials of the M.K.T. line and asked permission to stage a carefully planned head-on collision.

Depression stalked the country in 1896, so Crush's clinching argument was that the road would make money on the crash. "We'll hit headlines in newspapers all over the United States!" he assured his superiors. "Fifty thousand people will come to see the wreck, and the Katy will haul every one of 'em!"

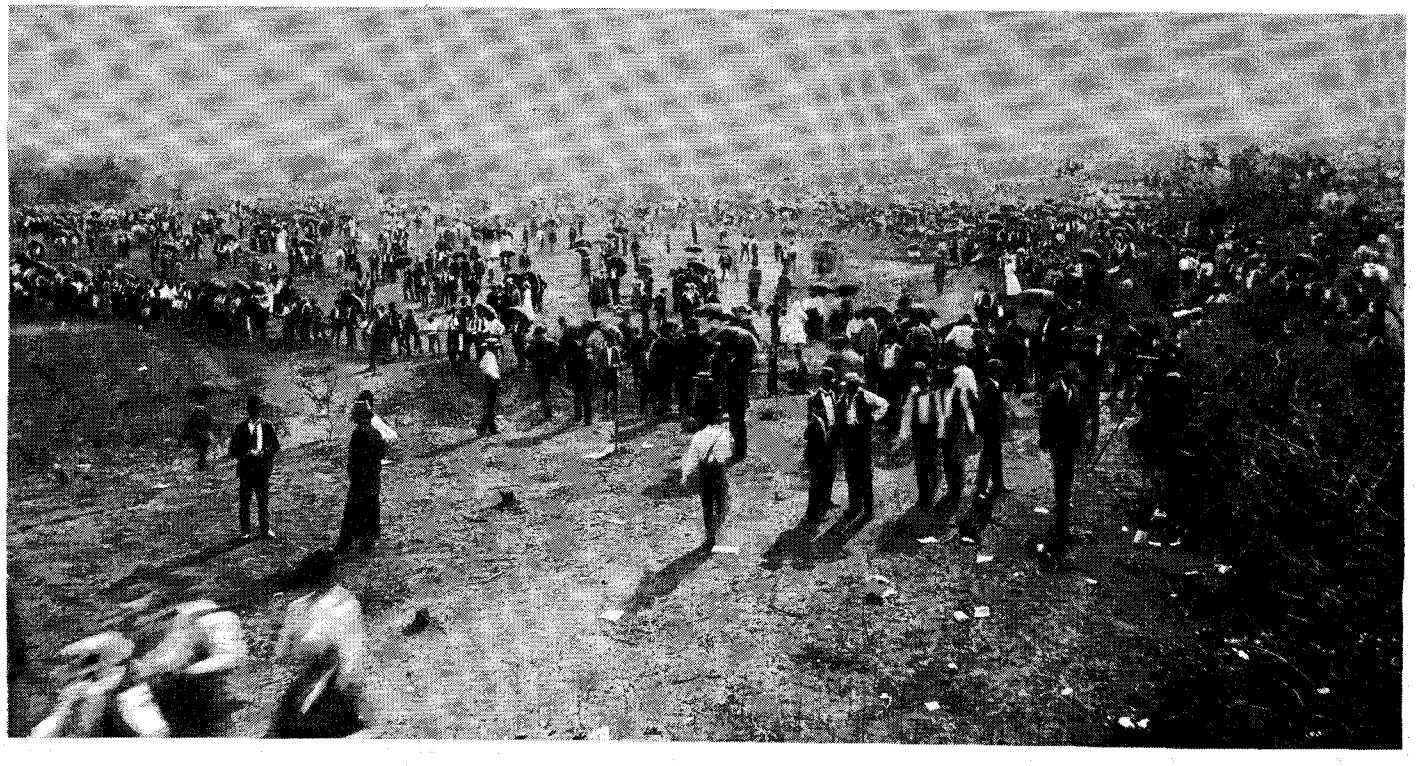
As Crush had promised, the startling announcement that two trains moving at high speed would collide head-on made headlines in newspapers all over the country, even though the time and place were to be announced later.

After extensive planning the date was set for September 15, 1896, and the place sixteen miles north of Waco, named Crush for the occasion. A large pasture was rented, mostly on the west side of the Katy mainline and sloping toward it. This slope would give the spectators an excellent view of the proceedings, particularly as the afternoon sun would be at their backs.

The pasture was cleaned like a picnic ground. Platforms were built for the convenience of the passengers who would arrive on the excursion trains. Crush secured a huge tent from the Ringling Brothers' Circus for use in serving meals to the crowd. Smaller tents were erected for dispensing liquid refreshments. A stand was built for the official photographers who made the photographs which illustrate this article.

On the day of the wreck, several water cars were brought from Waco, filled with ice and artesian water, to provide free drinking water for the spectators. Tin cups, fastened with chains to the taps on the tanks, insured drinking facilities for all.

Part of the crowd from photographers' stand. The rope set to hold back the crowd (which they ignored) is shown at left of scene.



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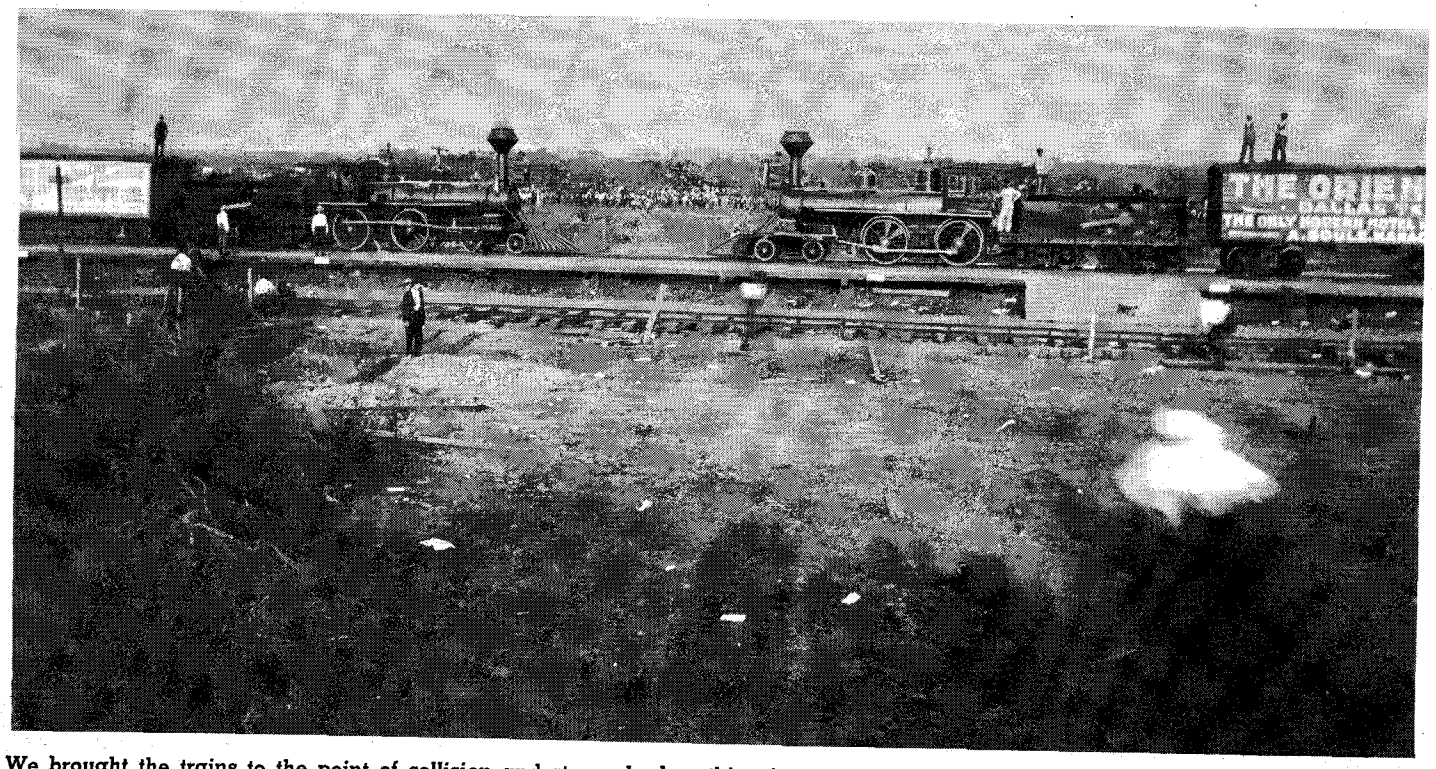


We brought the trains to the point of collision and stopped when this picture was made. Then we backed up to await the signal for the final run.

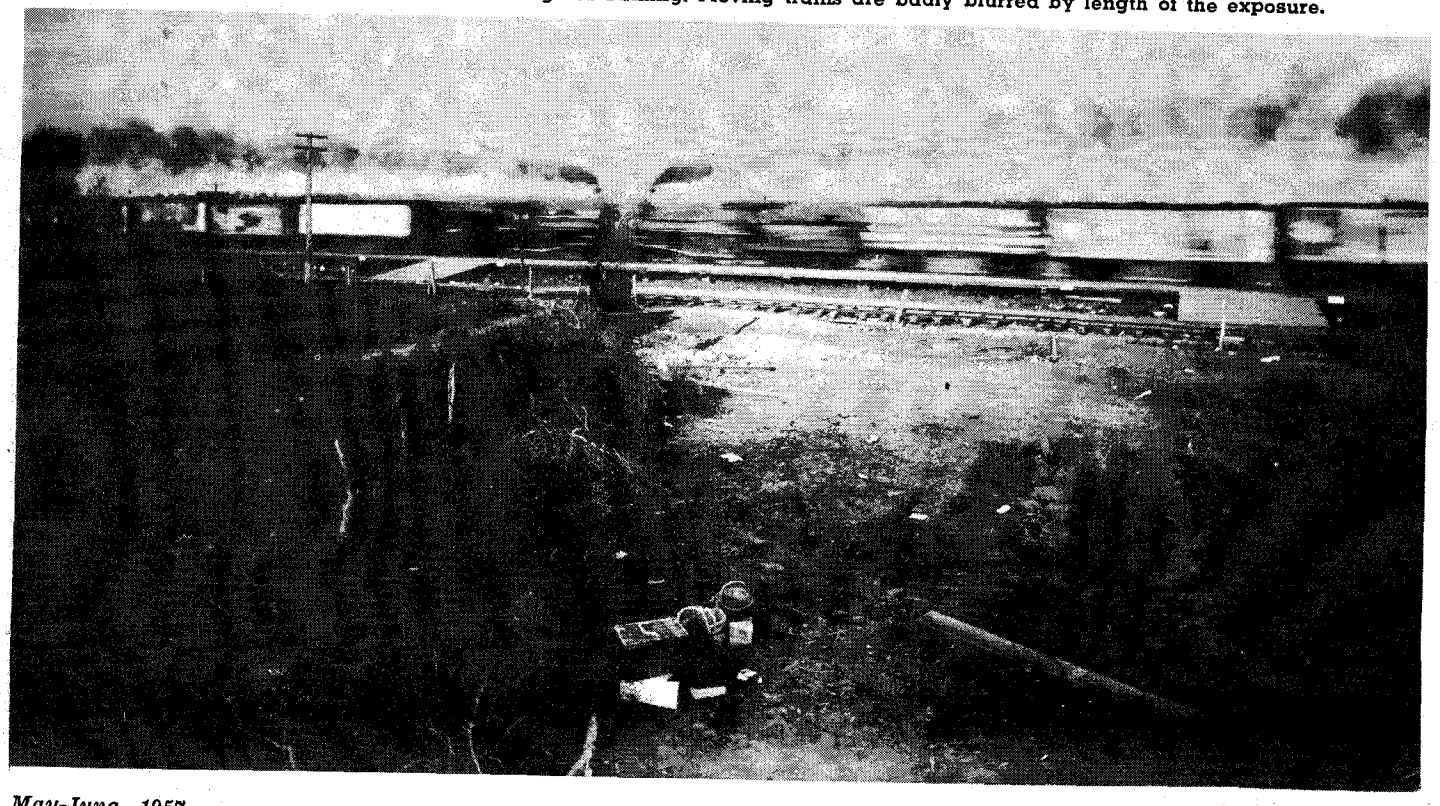
PREPARATIONS were speeded up as September 15 drew near. In the railroad shops at Denison, Texas, two 35 ton engines were readied for the collision. (60 ton engines were replacing the smaller engines, so the 35 ton jobs were surplus. The big wreck was simply a more spectacular way of disposing of junk engines than our present methods.)

One engine was painted bright green, trimmed in red, and numbered 999. The other was painted red, trimmed in green, and numbered 1001. For each engine a train of six empty stock cars was made up. The cars were covered with canvas, painted to advertise the Dallas Fair and the Ringling Brothers' Circus.

The week before the date of collision, engine crews were sent from Smithville to Denison. Engineer Charles Cain and Fireman S. M. Dickerson brought Number 1001 and its train to Waco via Dallas. Engineer C. E. Stanton and Fireman Frank Barnes (myself) brought Number 999 through Fort Worth to Waco. This trip, with stops en route, was good publicity for the big show to come.

The plan was to have the trains start two miles apart, attain a speed of a mile a minute, and collide at a point midway of the run and directly in front of the natural amphitheater where the crowd would gather. With the trains moving at this speed, 88 feet per second, even a small error in timing

A fully-exposed negative shows the engines striking. Moving trains are badly blurred by length of the exposure.



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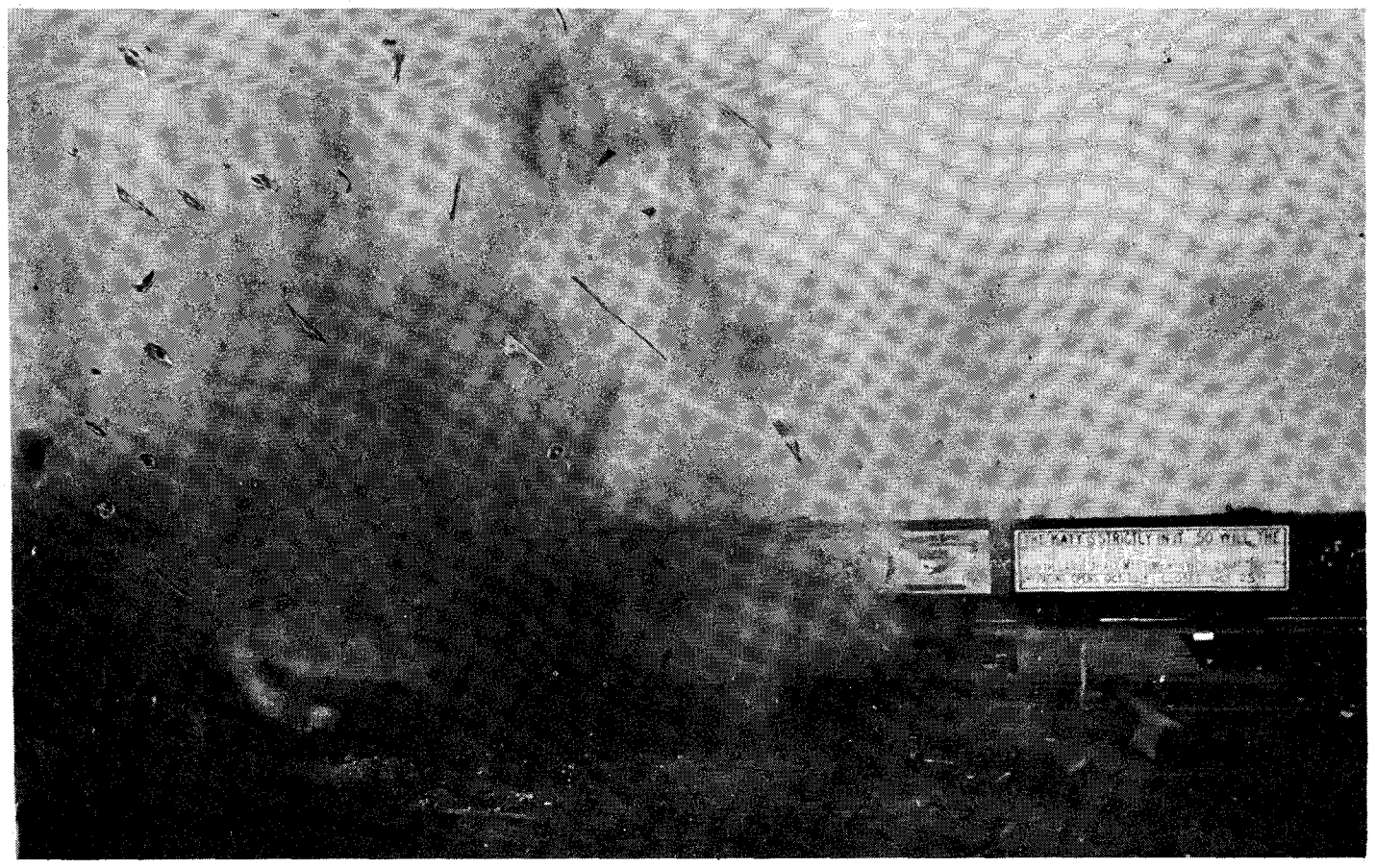

The explosion. Indications are that the boiler exploded after the trains had collided and the cars had stacked up. The cars shown in this photograph have moved three-car-lengths after the engines collided.

would move the point of collision enough to spoil the view of the photographers; so precise calculation was imperative if the widely advertised show was to be a success.

For three days before the wreck we made practice runs, timing each engine to travel the mile run in two minutes. The two engines didn't perform just alike, so proper adjustments had to be made.

On each engine a clamp was placed, against which the throttle could be opened. In this way, the same throttle setting could be used each time. Engineer Stanton, on Number 999, opened the throttle to the clamp with the reverse lever in low and counted sixteen exhausts, which was four turns of the drivers. He then set the reverse lever next to high, and we made our mile in two minutes from a standing start.

The crew of 1001 learned how to set their controls for the same timing. Of course, on the final run each crew would start the engines and get off quickly.

OTHER details were handled with equal care. On the link-and-pin couplers that we had, the pins sometimes jumped out and that broke the train as the cars uncoupled. Each of the pins was drilled and a key fitted, so this could not happen.

The steam line to the air pump was disconnected, so the airbrakes could not be set by some mishap such as an air hose breaking between the engine and the tank.

On the day of the crash, our trains were run into position and the track cut behind each. This was a precaution against the possibility that one train would leave the track and the other would run wild. As I have stated, the cars were empty. (I would also like to emphasize, at this point, that the oft-repeated story that the cars were loaded with crossties to give added weight is simply not true. Some ties were piled beside the track, to be used in repairing the line, and that fact may be the source of the story.)

As an added precaution, we removed all tools and spare pins from the engines and any other loose objects that might fly through the air when the trains collided.

Mr. Crush's idea that people would come in large numbers to see two trains collide at high speed was verified on September 15. From early morning, excursion trains unloaded passengers, and it was estimated that at least 40,000 people came to see the wreck. There were excited spectators from all parts of the United States. By early afternoon the last excursion train had unloaded and gone to either Waco or Hillsboro. Momentarily we expected the signal to start our run. A dispatcher near the grandstand was to give the signal, received by a telegrapher at each end.

Time crawled by and still the signal did not come. (We later learned that the people had crowded so close to the track that the officials had to practically force them back to a safe area.)

Finally, late in the afternoon, our operator hollered "Two minutes!" and raised his hand. When the two minutes had ticked off, he hollered "GO!" and dropped his hand.

EVERYTHING went off exactly as we had planned it. Engineer Stanton opened the throttle to the clamp, counted sixteen puffs, moved the reverse lever to the second notch, and then got off. I was out of his way, but waited until he was on the steps before I got off.

Tensely we watched our train run its mile course. At the end of two minutes we saw a great cloud of steam and saw parts of the engine flying through the air. From that sickening sight and from the roar of sound, we knew that the unexpected had happened — a boiler explosion. We watched numbly, praying that nobody had been killed or hurt. That was too much to hope for, as we were soon to find out.

The track, which had been cut back of our starting place, was connected in a few minutes, and we rode the wrecker to the wrecked trains. It took some time to get the wrecker close enough to work, as the trains were swarming with souvenir hunters.

Only one man suffered fatal injuries, although several others were badly hurt. J. C. Deane, an official photographer who was on the stand built for his firm, was the most severely injured of those who eventually recovered. Deane was struck in the eye by a flying bolt. He was taken to a Waco hospital, where the bolt was removed from his brain. It was over two inches long, with a nut on the end of it. Deane recovered and continued in photography for many years.

As an official photographer, Deane was close to the wreck. Of course, if we could have foreseen the boiler explosion, nobody would have been allowed close up. In fact, if the danger of explosion had even been suspected, the stunt would never have been pulled off at all. All other casualties were caused by the fact that people had crowded past the

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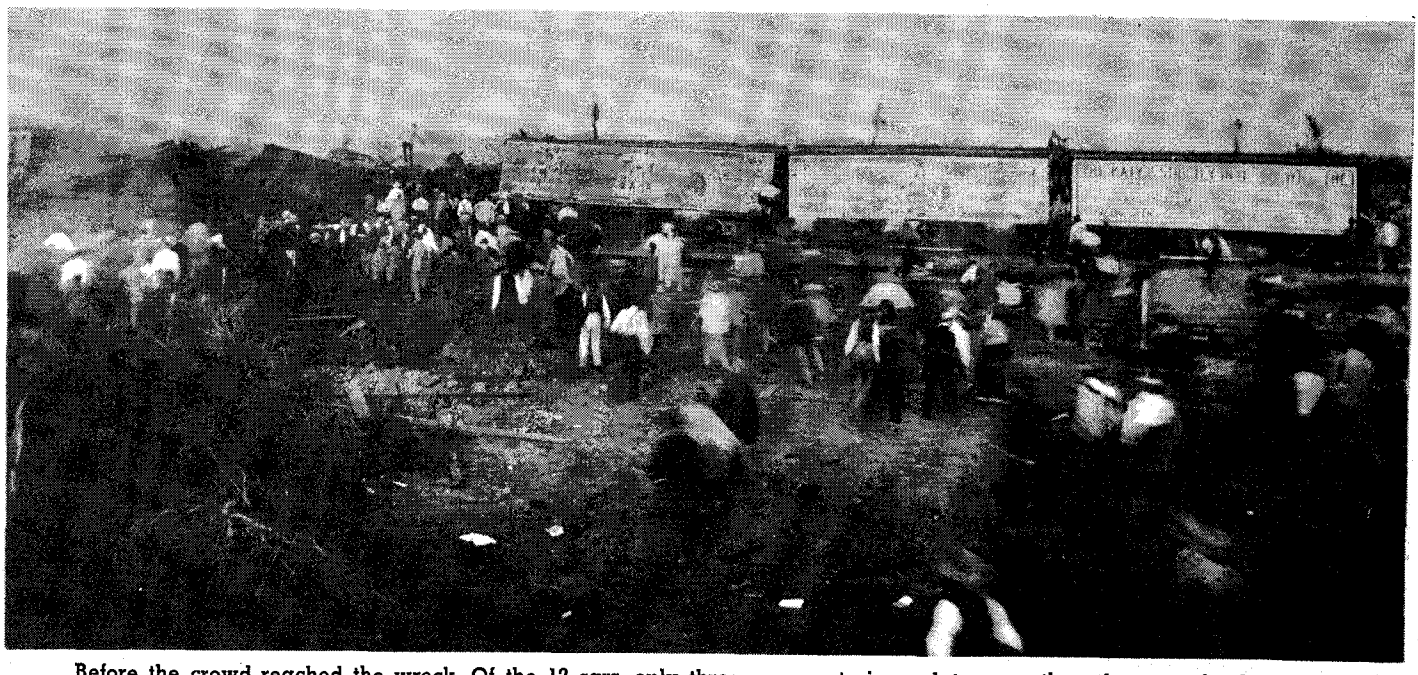


Before the crowd reached the wreck. Of the 12 cars, only three on one train and two on the other remained upright.

barriers which had been set. Crush said that the people had first been asked to back up, then ordered back. Some obeyed, some did not, and it was among these daring ones that the injuries occurred.

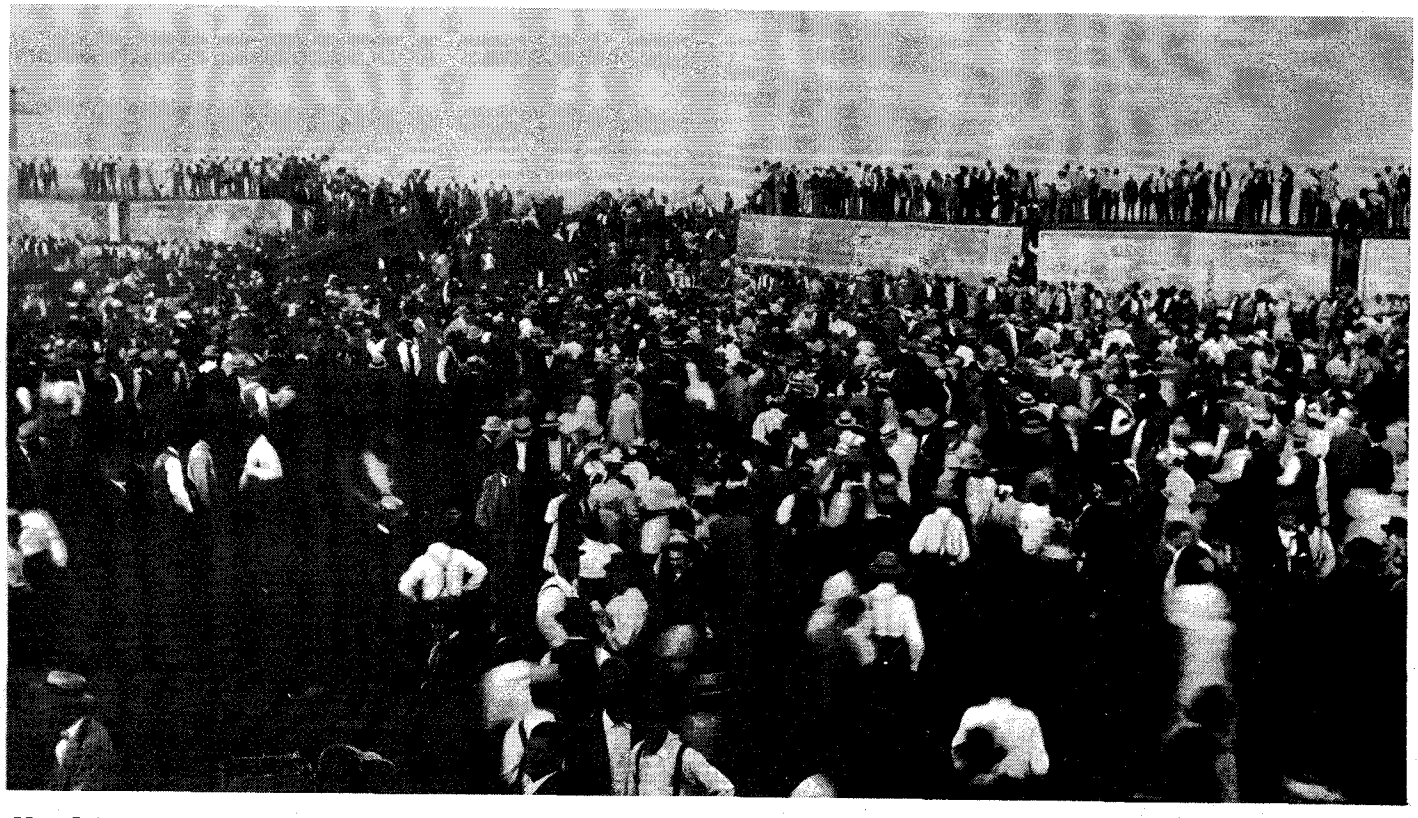
The unexpected boiler explosion may be explained by the peculiarity of this collision. In addition to the mile a minute speed of both trains, both engines were working steam and no brakes were set. In any other type of collision, an engineer will set brakes and close throttle the instant he sees trouble ahead.

CRUSH was not blamed for the explosion. He remained with the Katy, became general passenger agent for the line, and held the post until he retired. Both firemen were promoted to engineers, and all four men in the engine crews were in service until they retired. I myself retired in 1950, the oldest Katy engineer in point of service on the entire line, after a railroading career that began away back in 1892. I believe that L. G. Parsons, who was a brakeman, and myself are the last living participants in the big show at Crush, Texas — the "City that lived for a day." Parsons, 94, lives in Smithville, Texas.

Over the years, many persons have asked me what purpose did the collision serve; what did it actually prove?

Well, the major purpose, of course, was publicity and profit for the M.K.T. Railroad, and that purpose was achieved. Also, as I told the newspaper reporters on my 84th birthday a year ago, it proved a lot of people will go a long way to see a train wreck!

Souvenir hunters swarmed over the wreck. It took some time to clear a way through the crowd for the wreckers.



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ANYONE who listens and looks for such things can almost any week get tidings of a new search for the Lost Peg-Leg Mine between Yuma and Los Angeles, the Cement of Nevada, the Gunsight Lode in Death Valley, Lingard's Lake in California, the Tin Bucket of Oregon, the Lost Cabin Mine of the Bighorn Mountains, the Adams Diggings somewhere in New Mexico, and many another location rich enough—according to the tales—to buy all the shares of Standard Oil on the New York Stock Exchange.

A lost mine is a legend, if you will, but the traditions of all lost mines are kept alive not as legends but as realities believed in by men with mining ambitions. These traditions may and do contradict each other. If directions to the fabled locations were infallible and if the circumstantial details concerning their discovery were all in agreement, the mines would not continue "lost." They are always superlatively rich; if not rich, they would not be worth remembering — and seeking for. If men were not seekers after a gleam that can never be grasped and were not dreamers of dreams as golden as youth itself, the lost mines would not exist. Nor is it the gold alone that makes the drama. It is the seeker — the seeker and the stark land in which he seeks.

Death Valley bought its name fair. "Ground Afire" the Piaute Indians call it. In summer the heat goes to 130 degrees above. No water ever drains out of Death Valley. The sands in this pit, three hundred feet below sea level, are so mixed with salt, soda, borax, alkali, nitre and other minerals that the water in most of the few holes and springs is beyond potability for man or beast. Sometimes terrible sandstorms blow over the Valley. The Panamint Range fencing it in on the west and the Amargosa (Bitter) Range, of which the Funeral Mountains are a part, on the east are as bleak and desolate and parched as the naked sands themselves. Yet this country has known mining booms, for it holds gold. It holds too the skeletons of men who have died of thirst looking for this gold.

IN the early sixties of the last century, Virginia City, Nevada, lying northward of Death Valley, was the most booming mining center in the world. One of the many seekers who came to Virginia City at this time was a blacksmith of Bavarian extraction named Jacob Breyfogle. He had been in mining camps before. A swart giant in stature, he had little more sensibility than a brute. Yet the dream was inside him. He was a silent man. He arrived too late fall, after the heat of summer—too pay. So he saddled his horse and loaded his pack burro and went on towards Death Valley to prospect for a new bonanza. He was alone. This was in the late fall, after the heat of summer—too intense in Death Valley for human beings to endure — had subsided.

Weeks later another prospector named Yount, who was ranging in the Death Valley region, found Breyfogle stumbling along barefooted, without pick, blanket, food or water. His clothes were in tatters. His body was bruised and gashed as if he had escaped from some savage attack that all but ended his life. His mind was in such a dazed condition that he could give no coherent account of his condition.

But in the pockets of his blue denims was something that spoke more forcefully than words. Those pockets were stuffed with ore so rich in gold that Yount for the moment forgot all about the wreck of humanity he was rescuing and doubted his own vision. The ore was a blood-red quartz, heavy with great nuggets of gleaming gold.

After months of care, Breyfogle recovered sufficiently to talk of his experiences and adventures, though his mind never became entirely clear. Sometimes he varied his accounts, and these variations may well explain conflicting tales that hunters for Breyfogle's gold still tell and direct their courses by.

As Yount got the story, about two weeks after Breyfogle left Virginia City he made camp one night at Daylight Spring in Boundary Canyon, a gash in the Funeral Mountains on the eastern side of Death Valley. The next day he traveled southward until he came to a meadow with willow trees growing beside water. He could hardly have gone more than twenty-five miles this day. Here five Indian trails converged. At this place he halted to camp and, having hobbled his animals, turned them loose to graze. When at daylight he arose to catch them and travel on, they were nowhere in sight.

He had a pair of new shoes in his pack that he wanted to break in. He put them on. Then he climbed a small hill to get a view of the broken country. Standing there scanning the land, his eyes were suddenly caught by the glint of yellow from some blood-red quartz lying almost at his feet. He picked up a chunk of it. It was unbelievably heavy. Then he saw that the stuff in it, the stuff that made it heavy and yellow, was gold. The rock was absolutely stuffed with nuggets as thick as raisins in gingerbread. The ground about was covered with similar ore. With his eye Breyfogle traced a ledge, or outcrop, of it. True to the tradition of chance in the mining world, he had made his strike. He believed the rock to be as rich in content and as extensive as the ore of any mine in the Western World.

ALL he would have to do now would be to put up a notice announcing his claim and go to taking out ore. He looked down upon the willows in the meadow and thought what rare fortune it was that he should have found gold so near a good campsite. He hesitated as to whether he should go down there and get his pencil and a piece of paper and write out the claim notice, or go on and find his horse and burro. While he was deciding, he picked up more of the ore until the pockets of his denims were crammed and his great hands were full. Gold! Gold! Gold!

There was not one chance in a thousand that another white man would enter that part of the country soon. There was not one chance in ten thousand that another prospector would happen upon the rich lode and jump his claim. Yet in imagination Breyfogle saw the wild rush of men and the great mining center that would follow his appearance with a pack load of the precious ore. He decided that he had better get the horse and burro before they strayed off too far. But he could not think what had become of them. Rising above the hill on which he stood was a mountain. He considered climbing this mountain for a wider view.

He started the climb, the pockets of his denims sagging with the golden rocks, his great hairy hands clutching more of the precious ore. The gold made him so happy that he felt like running up the mountain, though he was a heavy man and hardly knew what gayety was. As he climbed, getting a wider and wider view of the landscape, he became more anxious about his animals. Without them he could never get a load of ore back to Virginia City. Indeed, without their help, he had doubts of being able to get himself back across such a desolate, broken desert. Then an idea came to him. Perhaps some Piaute Indians had stolen upon his camp in the night and taken the animals away. He was not good at noticing tracks and reading other sign.

The next thing Breyfogle knew an Indian leaped upon him from a boulder. He must have been knocked senseless with the first blow. But he must have struggled desperately before he succumbed. How long after this it was before he regained consciousness he had no idea. When he arose and began traveling, he realized that he was barefooted. His theory was that the Indian had secretly watched him take the new shoes from his pack and had then trailed him to get them.

What direction Breyfogle took, how far he traveled or how long, he could never tell. Never a man skilled in the craft of camp and range, he now walked without even the guide of sanity. Barefooted as he was, his progress across thorns and rocks must have been painfully slow. Only a man as tough as a brute could have traveled thus at all. Only his bull-like toughness and stupidity saved him. He must have found water. Perhaps he took water from the thorny cactus called *viznaga*. Yet when Yount found him he was more than a hundred miles from Daylight Spring.

AS has already been said, it was months after he was rescued before Breyfogle could give even an incoherent explanation of the gold-filled quartz that was still in his pockets when Yount found him. By the time some description of the place at which to look for the ore had been wormed, coaxed, and prodded out of Breyfogle, the summer heat was on and the prospecting expedition had to be postponed until fall.

Then Breyfogle, Yount, and two other men went to Daylight Spring. Thence they traveled southward looking for a meadow in which grew willow trees beside water, near a foothill overlooked by a mountain. They were well provided with pack animals that carried water as well as food and blankets.

For a long day they traveled south of Daylight Spring without glimpsing a meadow or a willow. They traveled south another day; they doubled back; they scouted in all directions. At first they had some hope of finding the saddle and camp equipment left by Breyfogle near the hill on which he found the gold, but they decided that Indians had long ago taken all that. Trails in the Death Valley region are not numerous, and the convergence of the five Indian trails that Breyfogle recalled as a landmark should have been a plain signboard. The party found Indian trails, but not five converging. They found not one sign of the blood-red quartz so rich in golden nuggets.

(Continued on page 38)

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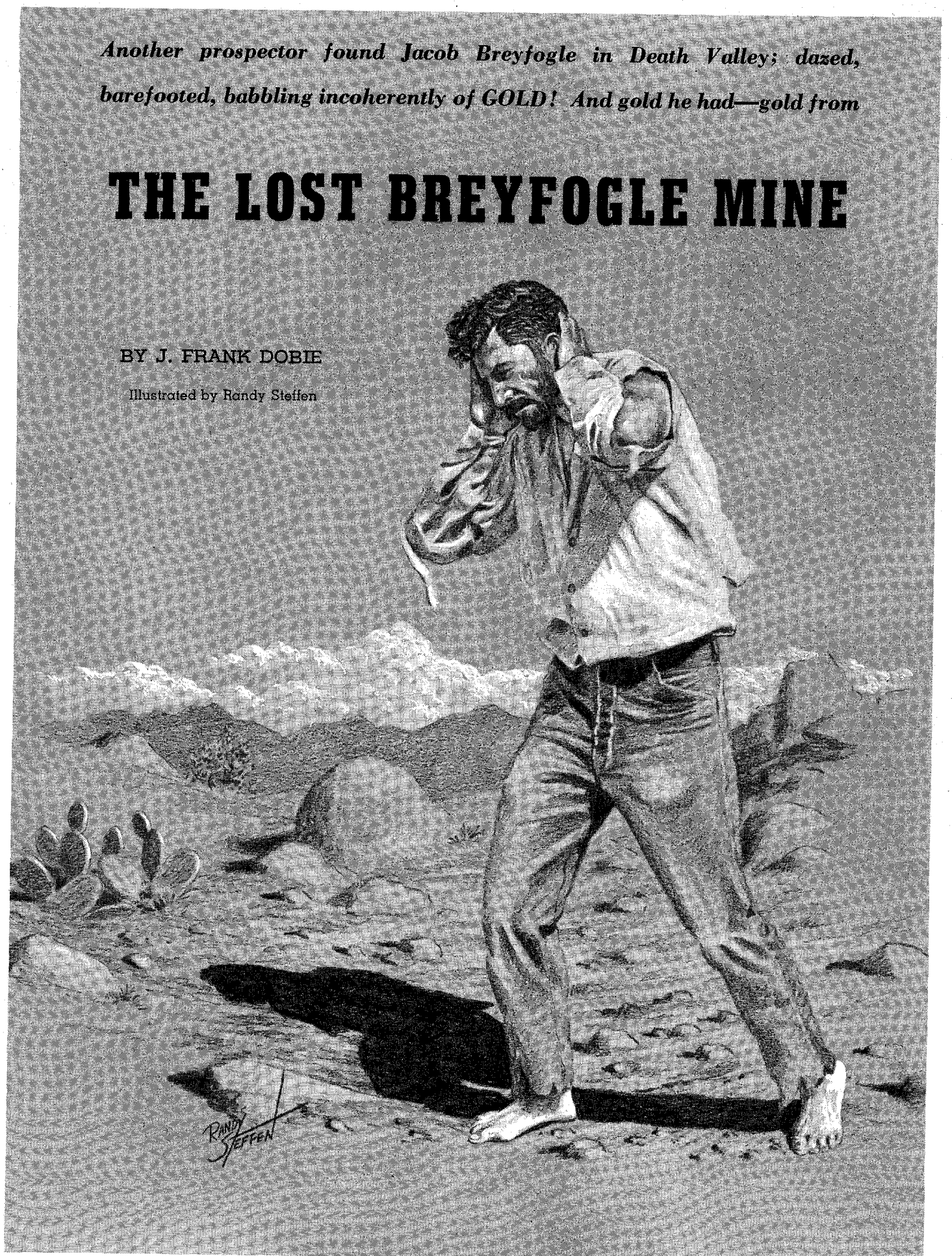
Another prospector found Jacob Breyfogle in Death Valley; dazed, barefooted, babbling incoherently of GOLD! And gold he had—gold from

THE LOST BREYFOGLE MINE

BY J. FRANK DOBIE

Illustrated by Randy Steffen



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"The Cow Killers"

Drawings by Bill Leftwich
Text by Fred Gipson

From the book "The Cow Killers," published by The University of Texas Press, Austin, 1956.

It was a strange adventure the American livestock inspectors found in Old Mexico —an adventure often comic, sometimes rowdy, occasionally tragically bitter

Publisher's Foreword:

In March of 1949, young Bill Leftwich, of Crystal City, Texas—former student at Texas A. & M. College, soldier of World War II—went into Mexico to serve as a livestock inspector for the Aftosa Commission in its fight against the foot-and-mouth disease.

Stationed in the vicinity of Zacapu and Patzcuaro, in south central Michoacan, Leftwich spent some three years rounding up and corraling cattle, chasing pigs, roping and tying down wild mountain steers, inspecting every cloven-footed animal in his district for symptoms of the virus.

When the day's job was done, unlike most of his co-workers, Leftwich did not hurry back into town to spend the remainder of the evening bending an elbow at the cantinas. Instead, he returned to his wife and baby and to bend an elbow over his drawing board.

With a keen sense for the dramatic, an eye for detail, and plenty of natural ability though little training, the young artist set out to record the day's adventures in line and wash. Some of those adventures were sad, some comic, some rowdy, and some tragically bitter. With an uninhibited flare, Leftwich recorded them all.

Along with the drawings, Leftwich kept notes on the events that had inspired them, events full of the flavor of Mexico and having to do, for the most part, with the reaction of the natives to the work of the commission. These stories he related to Fred Gipson, Editor of TRUE WEST and author of such books as Hound-dog Man, Cowhand, Home Place and Old Yeller. Fred converted the stories into the series of vignettes that accompany Leftwich's drawings in this book. With the exception of Bill Leftwich and Tom Roberts, names of the members of the commission are fictitious.

It was called La Comision Mexico-Americana para la Erradicacion de la Fiebre Aftosa in the Mexican newspapers—but the Mexican people called them los matavacas, "the cow killers." They resisted the gringos who came armed with six-shooters and hypodermic syringes to examine and treat and sometimes kill their cattle. Many fantastic episodes resulted, episodes that partook closely of the nature of war. TRUE WEST presents a few of them in the following paragraphs.

OF WHAT VALUE ARE WORDS?

SO consuming was the desire of *los matavacas* to pick animals with their needles that they came even on fiesta days.

They arrived at a certain ranch during a fiesta when the celebration had reached that high and glorious peak that speaks of near-empty bottles.

To the owner of the ranch a gringo *matavaca* said: "Why are the pigs not corralled? You were advised."

"*Si, Senor*. But this is fiesta day." And the ranchero held up his bottle to prove it.

The gringo said, "That is no excuse. In Mexico there are too many fiesta days."

"But, senor!" the ranchero exclaimed, "that is impossible. On fiesta days, one may cease all labor. He may visit with his friends. He may drink. He may dine. He may dance. He may make love to the beautiful women. One does not work on fiesta days. How, then, can there be too many?"

The gringo said impatiently: "Well, everyone works on *this* fiesta day. You will now proceed to chase pigs!"

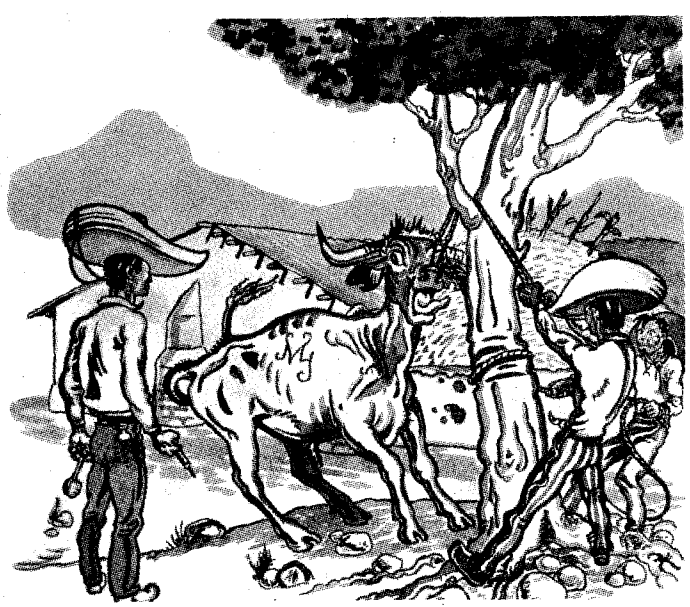
"But, senor, I have guests. By invitation!"

"Then your guests may assist in chasing pigs!"

Quick anger flushed the face of the host. Of what value are words in the face of such stupid and insulting arrogance?

At that very instant, one of the host's fine sows came to root a muddy and friendly snout against a soldier's leg. The soldier's foot lashed out, brutally kicking the surprised sow's feet from under her. A second soldier fell upon the animal, holding her down while the vaccinator unsheathed his needle.

A great rage seized the host, and the thought came to him: *When words fail, there is always the machete!*



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He drew with lightning speed. The heavy, razor-edged blade flashed in the sunlight. It swept down at an angle calculated to sever the vaccinator's head from his shoulders.

It was a mighty blow, but an unfortunate one. A soldier saw it coming and called out a warning. The vaccinator flung himself aside. The blade whistled past his neck with the thickness of a hair to spare. It struck the pig's head, cleaving it open from east to west.

A third soldier fell upon the irate host. He clubbed the man to the ground with the butt plate of his rifle, then struck him more blows. The remainder of the soldiers swung their rifles to their shoulders and brought them to bear upon the guests.

As a result, the guests corralled the pigs, the host lay long unconscious, the slashed sow died, and the fiesta was completely spoiled.

A LOGICAL MISUNDERSTANDING

Working in advance of *La Comision* were many unscrupulous buyers of livestock. They went among The People and Said: *"La Comision* is coming. The gringos will pick your *ganado* with their needles. The medicine may kill your goats. It may cause your cows to fail in their milk. It may rob your oxen of the strength necessary to draw your plows. It is said that the medicine often causes sterility among your best cows . . . . Consider. Do you not think it wise to sell your *ganado* before *La Comision* comes?"

The People considered. Were these things true of the medicine? How could they know?

Often The People became confused. Fearing total loss, they were induced to sell their livestock at half its value.

In Celaya, Guanajuato, such buyers convinced The People that the vaccine caused sterility in all creatures.

The day that gringo Dan Real arrived at Celaya with the vaccinating brigade, a farmer appeared at the corrals, dragging along a struggling and shrilly protesting woman.

"What passes, friend?" Real inquired.

The farmer said, "This one is my wife. We have fourteen children. I feel that it is now time that she be picked with the needle."

A TERROR TO THE PEOPLE

AY! There was this lieutenant of the Mexican cavalry. A terror to The People was that one.

One might say in his mind, "I will fight to defend my cattle from the needles of *La Comision.*" But of what value were mere thoughts when the lieutenant came in advance of *La Comision?* The will to fight was no remedy.

The lieutenant and his soldiers would arrive in a village without warning. To his soldiers, he would give orders.

"Get this one," he would command, pointing. "Get that one. Get me several of the citizens."

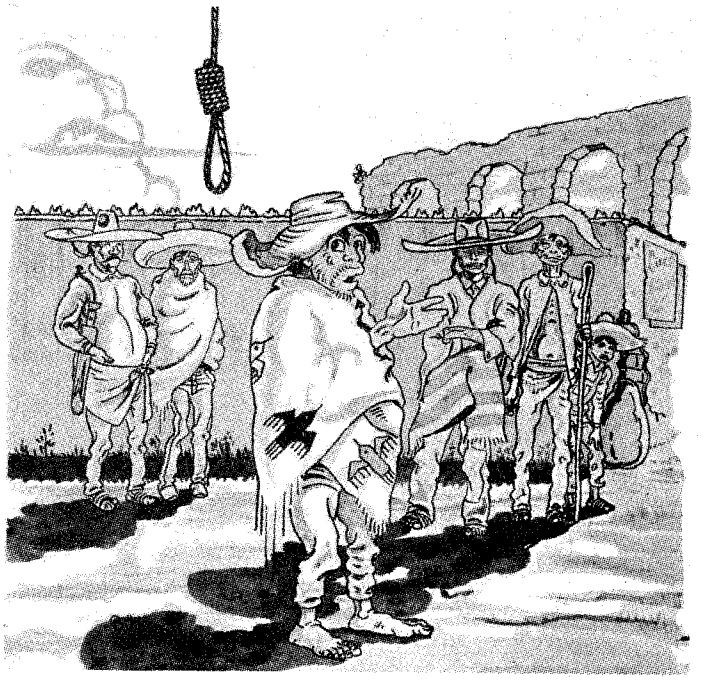
Instantly, the soldiers would seize four or five of The People and drag them to where the lieutenant had other soldiers preparing hang ropes.

Then, without cause, without trial, without explanation, without heed to the lamentations and pleas for mercy, the lieutenant would give orders that these innocent ones be hanged.

And hanged they were.

Their eyes bulged and their tongues protruded from their mouths, and their bare feet danced in the thin air.

(Continued on page 30)



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The Passing of Tom Horn

BY LAURAN PAINE

Illustrated by B. D. Tittsworth

A fine Indian scout, a good range detective—what strange flaw of character turned Tom Horn into a paid killer?

TOM HORN, efficient and hustling professional gunman of the Northwest, is one more of the legion of early day Westerners whose passing has given rise to the rumor that he was cut down, spirited away and revived, to live out a long life in idyllic seclusion.

This same conclusion has also reached such men as Jesse James, Billy the Kid and Clay Allison. Not to mention some *honorary Westerners, like Napoleon the First, Abraham Lincoln* and Aaron Burr.

In trying to clear up the passing of Tom Horn, the following facts of his richly deserved demise, related from unimpeachable sources, are offered.

Tom Horn was a man of medium size with clean-cut features and intelligent eyes. He had none of the proverbial hardness that is supposed to set the gunman apart from other men.

Yet, Tom ran a thriving murder business in Wyoming and Northern Colorado about the turn of the century. Tom was a businessman whose sliding scale of prices was tailored to fit every purse. He killed for as little as one hundred dollars. And, when approached by a large, powerful combine of Wyoming cattlemen, he agreed to kill for five to seven hundred dollars a head. Tom rarely shot more than once. If a victim ever escaped, he never knew it, for Tom only shot when confident of a hit in the back. His consistently employed method of identifying his handiwork was to place a small pebble under the head of the victim, thus making it easy for an employer to recognize his handiwork when he saw it.

Tom, paradoxically, had a wonderful record as an Indian scout in Arizona, as well as a cattlemen's association detective. On top of this, he was commended for bravery and patriotism in the Spanish-American War, which he entered as a volunteer, letting his business wait until he returned.

IN THE 90's, a group of cattlemen, known as The Wyoming Stock Growers' Association, hired Tom to do away with some annoying grangers. At this time, too, an influx of sheepmen was beginning, which annoyed the cowmen.

United States Senator Joe Carey was an official of this association. He expressed satisfaction at having so renowned a cattle detective working for his outfit. At one of its meetings, Tom calmly told the association that he would eradicate these pests for his cowmen employers at a flat rate of two hundred dollars a head. He didn't mean sheep! The Senator exploded. Not because of the bargain price, nor the offer, but because Tom made it boldly, before a room full of cowmen. Tom was fired!

After his dismissal by the Wyoming Stock Growers' Association, Tom went to work for a smaller group of cowmen. He had his understanding with them right from the start. Things began happening soon after, for Tom and his new employers saw eye to eye and that eye was best utilized when sighting down the barrel of a .45 at an interloper's back.

In 1895, not far from Cheyenne, Wyoming, a piney-woods rancher named Lewis was piddling around with a sagging gate — perpetual bane of all ranchers — in his pole corral down behind the house. He was found slumped over the gate in a puddle of blood by his family. There was a neat .45 slug hole between his shoulder blades.

This act was followed quickly by a similar killing of one Levi Powell, also suspected as a calf thief by Tom's employers. In Powell's case, though, Tom *almost* earned his fee. The slain man's six-year-old son was with his father when the latter was shot down. Seeing Tom Horn on a street in Cheyenne, a few days later, he identified him as the killer. No action was taken, however, because of the lad's extreme youth. This incident made people think a little.

AFTER Tom's return from the war, two small-time ranchers, who owned convenient places adjoining his employers' out-range, were shot down and killed. One was a man named Matt Rash; the other was a freed Negro named Isham Dart.

After the Rash and Dart killings, Tom took a little vacation. He encountered a posse of lawmen, got into an argument with one officer, and was dangerously slashed around the neck. He killed the posseman, in fair fight, and went back to the Cheyenne area once more.

On July 18, 1901, Tom, back at work, was sent to study the affairs of a small rancher named K. P. Nickell. Nickell, showing very little foresight, had brought a band of sheep into the cattle country. He was up one foggy, overcast morning at dawn, with his son, checking his pungent charges. A gun roared out of the gloom and Nickell, supposedly, fell over dead. Since the morning was overcast, Tom had made an understandable mistake — he had shot and killed Nickell's thirteen-year-old son. The frontier was aroused over Willie Nickell's murder and the boy's death was the beginning of the end for Tom Horn.

Tom's employers dutifully went out, under the guise of friends in sorrow, found the little round pebble under the boy's head, and were satisfied Tom had done the job. However, they refused to pay on the grounds that Tom had not killed the man he was supposed to bushwhack.

Annoyed, Tom returned to the Nickell Ranch a few days later, fired twice and downed Kels Nickell with a bullet through the hip and a bad wound in one arm. From his bed, Nickell saw the light and got rid of his woolies.

IN JANUARY, 1902, six months later, Joe LeFors, a former stock detective acquaintance of Tom's, who at that time

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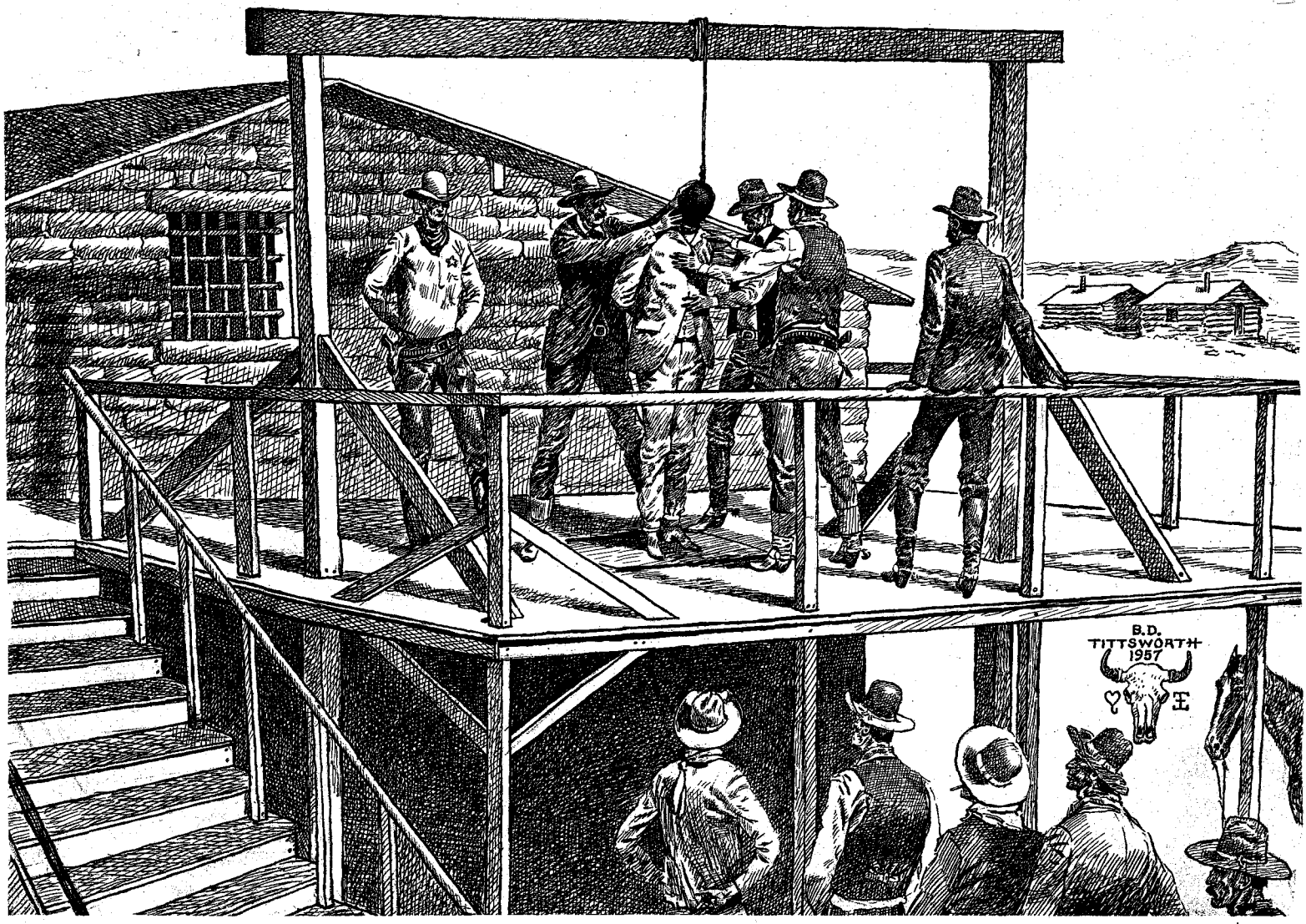

Proctor adjusted the noose, drew a black hood over Tom's face, and Joe Cahill, another friend of Tom's, helped the Undersheriff and Ed Smalley lift Tom onto the trapdoor of the gallows.

was a Deputy United States Marshal, was having a few drinks with Horn. Tom got pretty drunk and complained about his failure to collect for the Nickell boy's killing. LeFors tricked Tom into repeating the story when there were hidden witnesses. Tom was arrested, confronted with the confession and locked up. He was quickly tried, found guilty and sentenced to be hanged as a result of the farcical trial that condemned him for being a questionable character, rather than a proven killer.

Two puzzling things stand out in the transcripts of Horn's trial. One, his defense expenses of five thousand dollars were paid in cash by unknown strangers. Tom didn't have a cent when he was arrested. Two, a surgeon known to be above duplicity proved conclusively that Willie Nickell had been shot to death by a gun other than Tom Horn's. Notwithstanding this amazing evidence, Tom was locked up pending execution.

Horn and a penny-ante thief named McCloud, broke jail, almost beating Undersheriff Proctor to death in the process. McCloud surrendered a few minutes later when two .45 slugs creased him. Tom was captured by a hurdy-gurdy operator who fired two shots at him from a hastily-grabbed-up cheap little nickel-plated gun.

Tom dropped his gun and threw his hands in the air and was held at bay by the hurdy-gurdy man, who found out a few minutes later that he had fired the only two cartridges in the little pistol.

Tom was returned to jail and guarded from then on. A gallows was erected just beyond Tom's cell. For some unknown reason, exactly one hundred and six days slipped by after his jail-break before Tom was finally hanged. During this time, only a shred of canvas was hung over Tom's barred window to hide the gallows, which was repeatedly tested with sacks of sand weighing two hundred pounds, while the prisoner listened to the grisly racket. Tom Horn, whatever else he was, was darned tough — he didn't crack up!

The night and day before Tom's hanging, Cheyenne's Court House was surrounded by no less than two fully armed companies of state militia.

Prior to leaving his cell for the execution, Tom was visited by a minister and a couple of "Sisters." They sang hymns and Tom turned his back, suffering the indignity in silence and scorn. The minister left the cell and announced that Tom Horn had "confessed" to him. This aroused considerable agitation in the crowd come to witness Horn's death.

At the designated hour, Tom was led into the yard. He climbed the gallows steps with a firm tread, looked around at the spectators and shook his head. "Ed," he said quietly to Ed Smalley, one of the executioners, "that's the sickest looking bunch of sheriffs I ever saw!"

Big Charlie Irwin, a friend of Tom's, was standing beside his brother, known as Little Frank. Charlie spoke over the murmur of the mob. "Tom, would you like me and Little Frank to sing for you?"

Horn nodded with a smile. "I'd like that, Charlie."

While a patched-up Dave Proctor, ashen faced from the beating, buckled heavy leather straps to Tom's legs and arms, Big Charlie and Little Frank Irwin sang a lugubrious song entitled, "Life Is Like A Mountain Railroad."

A minister, not the charlatan who claimed Horn had "confessed" to him, read the service for the dying. Tom stood erect and relaxed, apparently listening, although his eyes gazed out over the assemblage.

Ed Smalley, getting whiter with each passing second, spoke. "Want to say anything, Tom?"

Horn shook his head. "No."

Big Charlie's deep voice broke in again, "Say, Tom, did you really confess to that preacher?"

Tom grinned dourly when he answered. "No, Charlie. I didn't say anything to that fellow."

Proctor adjusted the noose and drew a black hood over Tom's face. Joe Cahill, another friend of Tom's from earlier

(Continued on page 37)

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As other guards came running, the escaping convicts grabbed the wounded officer, using him as a shield as they retreated into the nearby timber.

TRAGEDY TRAIL OF HARRY TRACY

BY MAGGIE RED OLDHAM

Illustrated by Clay McGaughy

Dozens of lawmen were on his trail, scores of private citizens, private operatives, a whole company of the National Guard. Yet, for two months, the escaped convict roved the state of Oregon, leaving death in his wake

THE most intensive manhunt the West has ever known, in point of manpower employed, was the grim chase and series of encounters with mad dog Harry Tracy on and after his escape from the Oregon State Penitentiary, June 2, 1902.

No romantic glamour veiled this homicidal burglar. Police recorded Harry Tracy as a night-prowling thug and thief, a black-jacking footpad and suspect of unproven murders.

On the morning of his escape, the foundry gang of prison workers was being marched to their tasks when guards Girard and Ferrell noted two convicts in a forbidden portion of the yard. Ferrell recognized the pair as Harry Tracy and a felon named Dave Merrill, both doing twenty years for assault and burglary.

Ferrell called to the men and walked toward them. Tracy jerked a sawed-off rifle from his pants' leg and shot to death the approaching officer. A prisoner who was "doing it all" leaped at Tracy, only to be shot down by Merrill. The prison yard exploded into wild confusion. Inmates, racing to get away from the killers' smoking guns, impeded the bewildered guards so effectively that Tracy and Merrill had little difficulty escaping.

Running to a conveniently placed ladder, the two desperadoes leaned it against the prison wall and climbed rapidly to the top. Here they were fired upon by wall guard S. R. Jones. Tracy halted his flight to shoot and kill Jones. Calmly continuing to fire, he wounded two other watchmen.

Dropping off the wall to the ground, Tracy and Merrill were fired upon by outside guard Tiffany, but the excited officer failed to score a hit. Without breaking stride, Tracy snapped a slug at Tiffany, breaking his arm and putting him out of action. As other guards came running, the escaping convicts grabbed the wounded officer, using him as a shield as they retreated into the nearby timber. Gaining the safety of the woods, Tracy needlessly shot and killed the hostage guard and looted his pockets. He also took the officer's revolver; then both he and Merrill disappeared into the underbrush.

It is doubtful if any outlaw in the violent history of the West ever equalled the cool daring and deadly marksmanship displayed by Harry Tracy during the hectic two months' search that followed. Literally hundreds of men were continuously on his trail — dozens of peace officers, scores of armed citizens, private operatives, and for a time, Company

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F of the Oregon National Guard. Rewards mounted into five figures. Yet Tracy eluded or shot his way through these hordes of hunters, leaving death in his wake, until his own monstrous ego brought him to the bloody end of the trail.

AVOIDING prison guards and sheriffs' posses throughout the day of escape, night found the two wanted men boldly entering Salem, State capital and locale of the prison, where they halted a pedestrian, J. W. Stewart, and robbed him of his clothing. A few moments later they held up and similarly robbed an expressman. Next, at gun-point, the Labaucher livery barn supplied the fugitives with a pair of saddled horses, cash and additional weapons. Now mounted, heavily armed, plainly clad, the desperadoes were well on their way to freedom.

Posses continued the hunt throughout the night, often picking up the trail only to lose it. Bloodhounds proved less effective than human trailers. Next morning the pair were seen, afoot, near Brooks, eight miles north of Salem. They secured food from a housewife at the edge of town and vanished into the timber.

Word of their visit was flashed to the authorities. Armed civilians and State Guardsmen surrounded and penetrated the woods, confident of capturing or killing the fugitives. The circling cordon of hunters closed to a center point to find that the quarry somehow had sifted through the net. Tracy and Merrill had out-smarted them by coolly posing as posse members; then, as night fell, both simply walked off in the darkness.

The fugitives skulked northward during the night. At daybreak they entered the Akers' farm home, demanding food. "I'm Harry Tracy," brazenly announced the outlaw. Tracy appeared cheerful and unworried as breakfast was prepared and served. Merrill was jumpy, nervous and apprehensive. He was frequently jeered by the complacent Tracy.

The escaped prisoners moved farther north to Clackamas County, where Sheriff Cook, with a posse and three squads of militia took up the chase. At times, the outlaws stopped at farms for food, once within gun range of their pursuers. Two officers were wounded in an exchange of shots. The killers escaped.

Reaching the Columbia River, near Portland, the desperate pair commandeered a ferry for crossing. On the Washington state side they boldly invaded a farm house and robbed the owner, a man named Peedy. Leaving the premises, they met two possemen. The officers shot first and missed. Tracy returned their fire, killing one man; Merrill wounded the other. As other officers drew near, the fugitives plunged into dense timber near the river and disappeared.

FOR many days thereafter the outlaws' trail was lost. Then, on the morning of July 2, Tracy appeared on the beach near Olympia, Washington State capital, and entered the quarters of a fishing manager, Horatio Alling. A Captain Cook, the Captain's son, and another man were also present.

"I'm Tracy," smiled the outlaw. "I want something to eat. Be nice and you won't get hurt."

Tracy ate ravenously, then tied up Alling and the others. Following the trussing of his benefactors, Tracy compelled Captain Cook and his son to board a fishing launch anchored nearby, get up steam, and transport him 50 odd miles up Puget Sound to Seattle.

On the twelve hour trip, Tracy was affable and smiling.

Emboldened by the outlaw's cheerfulness, Captain Cook asked the whereabouts of his partner, Merrill.

Tracy's face contorted with rage. "I killed the dirty rat!" he snarled. "He was a damned coward and double-crosser. Tried to turn me in for the reward and clemency for his own rotten hide!"

Merrill's body was found two weeks later, proving Tracy's statement.

Beaching at Meadow Point, near Seattle, Tracy tied up Cook and his son and went ashore. Unidentified, he rounded to the north of Lake Washington, hiding out near Bothell. He spent the night in the woods, in a downpour of rain. Next morning, while seeking food, he was seen and recognized by two lumbermen, who spread the alarm. A posse of citizens tried to close in on him, had two men wounded, and withdrew.

Sheriff Cudihee, of King County, a fearless and efficient officer, came to take charge and vowed he would keep on Tracy's trail until he got him. The valiant Sheriff hung on to the end of the chase, and then failed to make the actual showdown.

At Bothell the Sheriff formed his posse, forming them into squads. One of the squads was led by Deputies Anderson and Raymond and included Sefrit, a *Seattle Times* reporter, citizens Williams, Brewer and Nelson. This group struck off across country to inspect two frame shacks located in a tangle of brush and tree stumps. The party divided to approach the cabins from different directions.

As Anderson, Raymond, and newsman Sefrit neared the front of the shacks, Sefrit exclaimed: "Someone behind that stump!"

As he spoke, Tracy jumped from behind the burned stump and fired. Deputy Anderson fell dead. Another unerring slug from the killer's gun killed Raymond. Sefrit dived behind a stump and escaped being hit.

Retreating into the drenching rain, Tracy encountered Williams. The outlaw snapped a shot at Williams as he ran, wounding him. Racing on, Tracy met a mounted rancher, stole his horse and lit out. An hour later he abandoned the animal to kidnap a farmer named Johnson, along with his team and wagon. He forced Johnson to drive him to Fremont, a Seattle suburb.

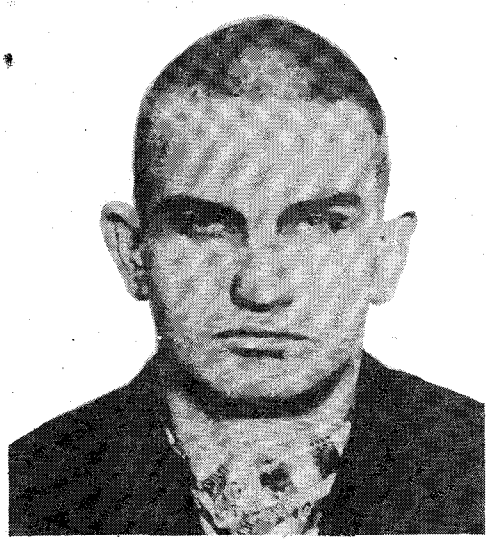
STOPPING at the home of Mrs. R. H. Van Horn, Johnson was compelled to hitch his team to the yard fence and accompany Tracy into the house. At the door, the lady recognized the outlaw through newspaper photographs. Fearfully she asked: "What do you want?"

"I only want food and clothing," assured Tracy. "I'll not hurt you, lady."

It chanced that there was a man named Butterfield in the room, and from him Tracy coolly confiscated his dry clothing. The fugitive loitered and gossiped after his meal. He was still at Mrs. Van Horn's house at twilight when a grocer's boy came to the door. Tracy coldly warned Mrs. Van Horn, Johnson, and Butterfield not to reveal his presence to the youth.

Trembling at the outlaw's threat, the courageous woman, in giving the lad the grocery order, whispered the word "Tracy!" The boy understood instantly but kept silent, and

(Continued on page 32)



Left: Harry Tracy as he appeared in the Oregon penitentiary, 1899. Right: David Merrill, as he appeared in the Oregon penitentiary, 1899.

Frontier Pix

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Lady Luck was sure riding with that cowhand till he went and caught that cattle train to Kansas City. There's where a hasher and a dancer and a gone-busted bank turned him into a

Pearl Diving Cowpoke

BY V. WHITLOCK

Illustrated by B. D. Tittsworth

WHEN I eat breakfast at a lunch counter and see dishes with yolk of eggs on them, I always feel sorry for the "pearl diver" back in the kitchen who will have to scrape and wash them. I have been in that boy's shoes and know just what he is up against. The sight of the yellow stains on the plates always brings memories of an incident that happened many years ago.

The events leading up to that incident started one evening more than fifty years ago in the old cowtown of Carlsbad, New Mexico. A dealer opened a monte game in a saloon there with an $800 bankroll, and a cowhand who worked for the JAL outfit over on the Texas-New Mexico line asked me to "put in" a dollar with him and he would play the new game.

Monte was that cowhand's weakness, and bucking the games kept him broke. He would rough it in cow camps, on the roundup, and up the Trail for several months, then draw his pay and ride into town where he soon lost it to the monte dealers. But this night he was lucky from the start, and in a short time he cleaned the dealer's plow for his entire bankroll.

He divvied up the winnings and gave me my four hundred smackers. Then we moseyed over to see Sol Schoonover, who ran a monte game with the inviting motto: "The sky's the limit." As we walked through the swinging doors to the scene of action, the cowhand asked if I wished to put in with him to play Sol's game. "Huh-uh," I grunted, "I'll keep what I've got."

Lady Luck seemed to have her arm around him, guiding his hand, as he placed his chips on a card on one side of the spread, then on one on the opposite side. I had a hunch that he was "right" and if I would lay a few bets alongside his I might do real well. So, every time he made a bet, I laid a few of my frog-skins down with his. It seemed as if he just couldn't lose. As the deals went on, his bets became larger and larger. I rode with him, dragging down a few sheckels each time he was paid off.

Soon he had all the chips on the table and the bets were being paid off in gold and currency. All other activities in the saloon ceased, and the crowd gathered around the monte table, sweating the game in silence. The only sounds were the voice of the dealer as he called the cards, one against the other; the low voice of the cowhand as he placed his bets — "barring the door" or when he bet his "alce"; the silky swish of the monte deck as the dealer shuffled the cards, and the exciting clink of gold coins.

THE crowd dwindled away as the night advanced, and the only other game going was between two Mexicans at a poker table who were playing kun-kan for four-bits a game and two-bit tabs. A cowhand who had been leaning against the bar all evening mumbling to himself was stretched out on a pool table snoring away fit to choke.

I heard a rooster crow, and looking out the window I could see that day was breaking across the Rio Pecos. The bartender was wearily polishing the bar, mirror and glassware, and a swamper was rolling up the mat along the footrail in front of the bar, cleaning the spittoons and mopping the floor.

The dealer lay down a spread of a seven-spot against an ace. The cowhand stacked his spondulix on the seven, murmuring: "I bet two thousand dollar alce." (Alce is the only bet during each deal in a monte game when a player has an even break. The best gamblers make their play for a clean-up on alce.)

The dealer looked a little sick. He lay the deck face down on the table and placed a stack of twenty silver dollars on it, saying: "I'll not turn for it. You're just too durn lucky!"

"Brother, you'll *have* to turn for it," smiled the cowhand. "Ain't you kinda forgot that this is a no-limit game? Read your sign up there!"

The dealer called to the swamper, "Go upstairs and get Sol. Damn if I'll turn for this bet without his say-so."

Presently Sol showed up, in his sock feet and half asleep. "What the hell's the matter down here?" he growled.

"This man bet a two thousand dollar alce, an' I won't turn for it," the dealer explained.

"Get up an' let me sit down there," muttered Sol. "I'll turn for it — I didn't get this game to where it is turnin' down bets!"

Sol picked up the stack of silver dollars and set them to one side. Without a second's hesitation he turned the deck face up — and the cowhand's seven-spot was "in the door!" He cashed in after that winning bet — $7,600 winner off a single dollar!

I hadn't done bad myself. I lumped my winnings along with what I'd saved from my thirty-dollar-a-month salary punchin' cattle and ridin' broncs for the L F D outfit, and bought a little bunch of dogies from the nesters along the Texas-New Mexico line. I turned them loose on the L F D range and looked after them a couple of years like an old hen with one chicken. I had visions of becoming a cattle baron like the Whites, Cowdens, Littlefields, and Slaughters.

The second fall, when the L F D outfit gathered their fat stuff for market, I gathered mine and rode the cattle train with them to Kansas City. I got my check from the commission firm, registered at the old St. Louis Hotel across the street from the stockyards, and caught a cable car uptown. I put most of my cash in a bank, holding out a few dollars with which to paint the town a mite and see the sights.

I went to a clothing store around the corner from the hotel and bought a complete new outfit, except hat and boots. One of the hashers at the hotel volunteered to show me the town — and she did just that!

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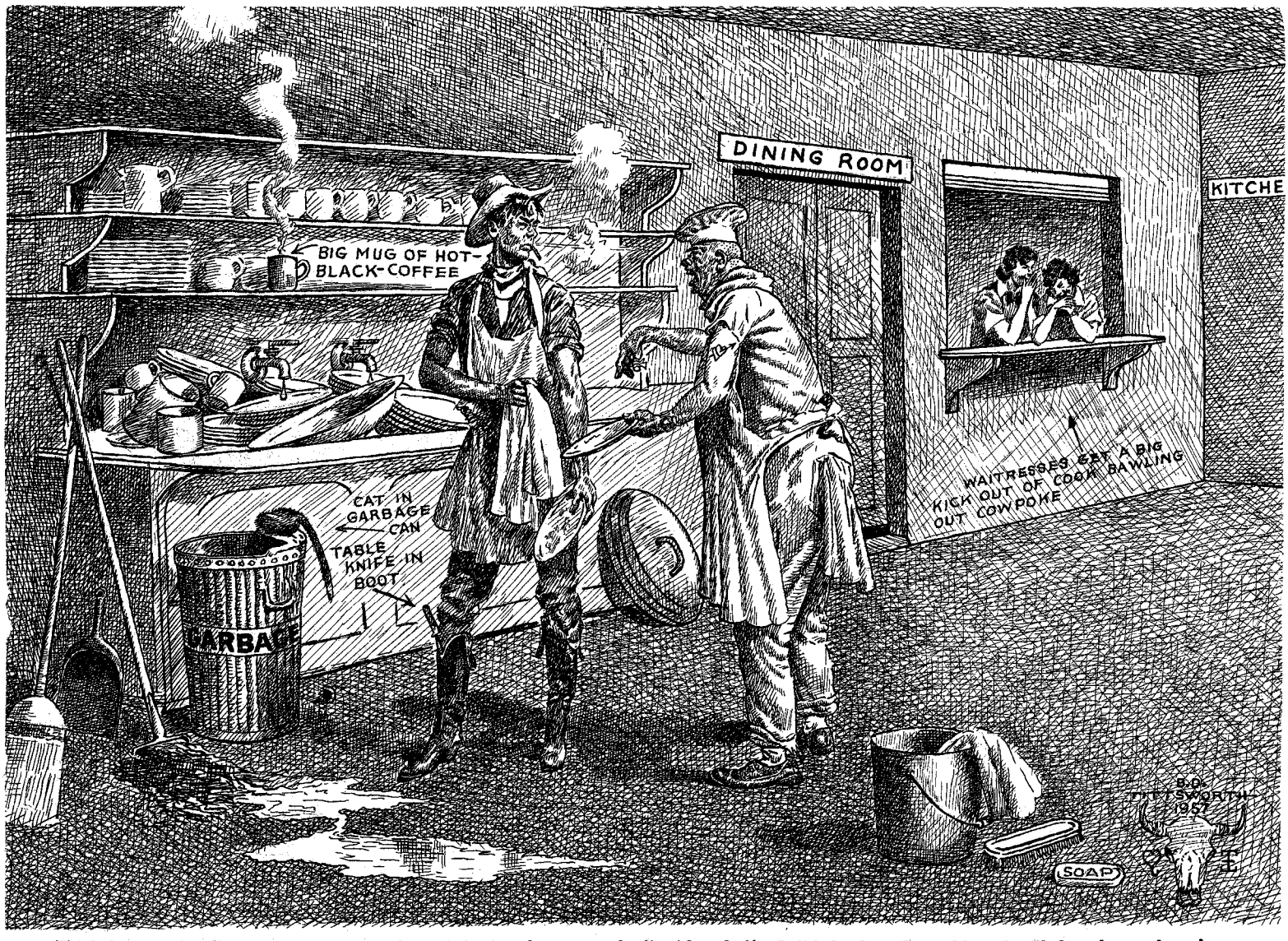

Thick layers of yolk, smeared and dried hard, had to be scraped off with a knife. I did the best I could and still that damned cook would hand 'em back and say, "Git the yeller off!"

One place we visited was a theater. I didn't recall if it was the Majestic or the Century, but it sure put on a hot show. I bought box seats right up against the stage, where I could put my boots on the railing and be comfortable.

In one of the acts, a buxom brunette with more curves than no-hit World Series pitcher Art Larsen, came out wearing a picture hat and not much else and seated herself in a swing. A spotlight was turned on her, and with a small mirror she deflected the light upon faces in the front bald-head row of seats as she sang a song. At certain points in the song, she pulled off some part of her scanty wearing apparel and tossed it to the gent upon whom she was holding the light.

She had stripped down to practically nothing but a pair of tights when I saw her glance at me — and suddenly I longed for the wide-open spaces! She turned the light on my face, and instantly it became the color of the Painted Desert under a rosy sunset. The yelling audience could see "cow country" written all over me as I slipped down in my seat on about three joints of my backbone, trying in vain to hide.

I watched in numb embarrassment as she removed the only remaining dainty little garment from over her tights and tossed it to me as she sang: "Oh you kid, you're my affinity! Here's my card, I'll be in from one till three!" Then she went into her swinging, tight-rope walking, and trapeze act. It was really something to see.

WELL, the hasher and I went on and did the town up right. I never knew how or when I got back to my hotel room, but I woke up the next morning slapping at a fly that kept lighting on my nose. I lay there looking up at the ceiling and wondering where I was and why I was there.

I had a dark-brown taste in my mouth and my temples were throbbing as if a couple of chuckwagon mules were kicking away inside my tender skull. I eased up out of bed, holding my head as level as possible, and moseyed over to the wash-stand. I poured a glass of water from the pitcher and gulped it down. I caught a glimpse of my face in the mirror, and my eyes looked as if I'd been facing a West Texas sandstorm. I shook my head, and the room started to spin.

I made a break for the bed. It was moving in a circle around the room. The floor started tilting, first on one side, then the other. Finally it flew up and hit me square in the face. I lay right still for a while until things slowed down and got back into place. Then I got up, dressed, and frisked my pockets. All I found was a thin dime.

I went down to the dining room and the hasher who showed me the town the night before came over to wait on me. She looked like she'd had a bad night, her black eyes in her sallow face resembled two buckshot in a bowl of clabber. I gulped two cups of black coffee, then went out to catch a car uptown to the bank to draw a few bucks from my bankroll.

I got off the street-car around Twelfth and Main Streets. When I came in sight of the institution in which my coin was deposited, I saw a long string of humanity lined up in front of it. They resembled a row of ants going to the sugar barrel. I asked the man at the tail-end of the line what was going on. He looked at me bug-eyed and croaked, "They're making a run on the bank!"

I fell in line and when I finally reached the window, the man in the cage said, "We're not paying out anything and don't know when we will!"

Well, sir, that was about like getting hit in the seat of the pants by an old mossy-horn steer on the prod! Folks who are old enough to have had money in a bank at that time will well remember what year it was — 1907. All over the country these "money panics" occurred. I started having a money panic of my own right then and there. I was in a strange town, flat broke. Of course I had my drover's ticket

(Continued on page 34)

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Wild Old Days

HE NEVER LAUGHED

BY J. H. LAVELY

WHAT is without a doubt one of the oddest and most interesting tales to be gleaned from the records of the Old West is the strange saga of one Joe Nedding, a native Ohioan who moved westward at a tender age and carved out for himself some sort of immortal niche in the annals of early Kansas history around the turn of the century. Joe was known as "Black Shirt," a name tagged to his mysterious personage because he wore a black shirt around Abilene, Dodge City and Hayes, Kansas, for over three decades — a self-inflicted cross which he bore to show that he was in mourning for the woman he'd killed when still a youth. In Dodge City they called him "Sad Man Joe." Everywhere he was termed "The man who never laughed."

The black shirt dated back many years to the time when Joe's prowess as a gunfighter was practically unparalleled, to the day when he was one of the best men with a six-shooter ever to traverse the prairies. He had but few, if any, equals and many gave him the nod over Wild Bill Hickok, another gunslick of imperishable repute. In fact, the gambling and bloodthirsty gentry of the locale oftentimes tried to bring the two sharpshooters together, but never succeeded. "Black Shirt" and Wild Bill were pals, had saddle-tramped together, and each had a high regard for the other's swiftness of draw and rapidity of shot. In addition, Joe couldn't force himself to draw on a pal, no matter what the reason. Joe had something in his past which he couldn't forget, a veritable plague which constantly haunted him; a nebulous something which served as an invisible check on his guns, the handles of which carried over a dozen notches when he died. Joe had something incessantly gnawing at his mind and he preferred not to draw.

In days gone by — the memory of this fracas was forever indelibly fixed in his mind — he had engaged in a gunfight with a brace of drunken cowpokes in Hayes. It was in this fight he had accidentally sent a bullet through the heart of the girl he loved. The girl was honey-haired, beauteous, dance-hall queen Sal Benson, a stellar attraction at Hayes' Pleasure Palace. They were soon to be wed. But then came the gunfight.

Attacked by the two crazed cowhands along the main street of the dusty, lusty cattletown, Joe quickly killed both with two well-placed bullets. Then Sal, who had watched the fight, began running toward him, screaming a warning. She had spied several more men as they took shape from the shadows down the road with guns drawn. Certain that they were friends of the men Joe had just toppled, she sought to save her man. Hearing her warning, Joe wheeled. The three men fired together. Sal fell to the ground. She died instantly.

JOE felt that it was his bullet that had killed her, although this was never conclusively proven. The incident made him nearly lose his sanity. Morose, greatly saddened, he mourned for days. It was soon after, with his heart and soul all but lifeless, that he donned his black shirt, a symbol which he wore for decades in honor of his departed sweetheart. Joe, "Black Shirt," man that he certainly was, never got over his sadness. He lived the remainder of his years in bleak, desolate unhappiness. He drifted far and wide, into Texas, Oklahoma, Missouri, Colorado and Nebraska, but he always returned to Kansas territory, for it was there that his life, his very soul, lay. A great man with a gun, in later life Joe served a term as the assistant marshal of Deadwood — always wearing a black shirt.

And it was this ebony attire that led to his untimely demise. It played a cardinal role in the taking of his life at a time when he was loved and re-

Illustrated by Wm. Loechel

Sal began running toward him, screaming a warning. Joe wheeled and fired.

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spected by all. Joe was winged in the leg by a shot from his close friend, Cal Winters. The latter shot at a mad dog. The bullet missed its target and imbedded itself in Joe's leg. The mishap occurred at sundown. In the settling dusk, Winters did not see the black-garbed man who also was after the dog. Joe dropped on his beloved Kansas sod, painfully wounded. A week later he died from blood poisoning. Joe and Sal were now together.

His monument at Abilene read simply: "Here Lies Joe Nedding — Black Shirt — The Sad Man — He Never Laughed."

SUE'S JAILHOUSE WINK

By Jack Kytle

FRISCO SUE'S wink was as sweet as sugarcane and as seductive as chilled mint julep. Yet it clapped her in prison — after a jury had acquitted her.

It was in early 1876 that Sue drifted over to Nevada's gold fields from San Francisco's glittery gambling spots. She was easy on the eyes — a willowy, olive-skinned brunette in her early twenties, with sultry brown eyes, and full red lips eager to smile for men who flashed big rolls.

Sue had made quite a wad of cash in dazzling suckers, but now she had bigger things in mind. She had determined to extend her treasure-hunt to stagecoach robbery, where the take could be in thousands.

The tall girl didn't hurry to begin her holdups. Instead, she joined forces with an ex-saloonkeeper and full-time renegade named Sims Tolbert, and served as keeper of a ranch hideout for him and his bandit gang. She also frequented saloons of mining settlements, where her ways with men brought valuable information about gold and currency shipments. Finally, after weeks spent in casing prospective jobs, she decided the time had come to strike.

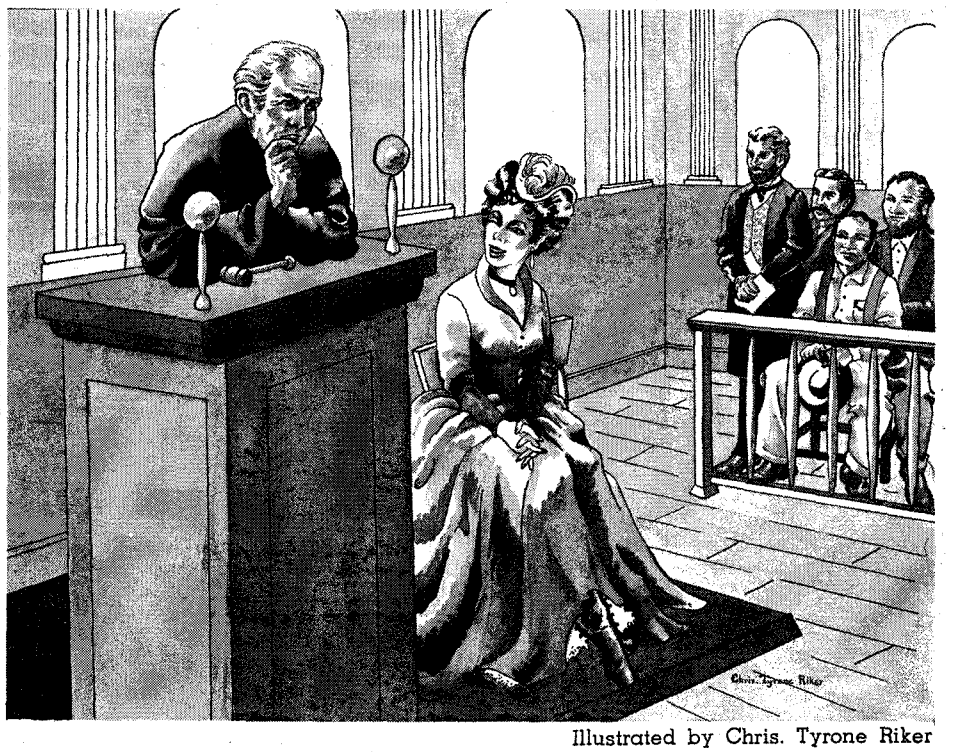
Taking Tolbert in as a confederate, she pulled her first stagecoach robbery in August of 1876. It netted about $700, far short of her expectations. She decided to rob the stage again on its very next run — a fatal mistake. A doubled guard shot it out with Sue and Tolbert. After a brief but blazing battle, he was dead, she captured.

Brought to trial, Sue mustered all her charms for judge and jury. She wept prettily, smiled alluringly. At just the right moments, she revealed her trim ankles by slight lifts of her long, rose-colored skirt. The eyes of justice were close upon her, and especially those of the gray-haired and portly judge. Memory was tugging at his thoughts. "Somewhere, some place," he told himself, "I've seen her before."

But by the time the jury brought in its verdict, he had about concluded that he was wrong. "Not guilty," announced the gallant foreman. Sue smiled wistfully, then turned to the judge and winked. It was a long-lashed, lingering wink, the kind men don't forget in a hurry.

The judge called out quickly, "Sheriff, re-arrest that woman."

To the astounded Sue, he said, "Madam, you have been acquitted only of robbery. There's another charge — assault with intent to murder, by firing on the guards."



Illustrated by Chris. Tyrone Riker

Sue smiled wistfully, then turned to the Judge and winked.

In the speedy second trial, with the judge practically acting as prosecutor, the bewildered Sue was convicted and sentenced to three years in jail.

Memory had clicked for the judge. More than five years before, he had made a pleasure trip to San Francisco. A slender brunette had lured him to her table, and had lifted $500 from his pockets.

And the long-lashed wink she had used to dazzle him was the same as she had used to thank him in the courtroom.

YAGER'S LOOKING GLASS

By Byron A. Ashley

WHEN Fred Yager built the Dexter Saloon in the booming silver-mining camp of Panamint, California, in 1875, he left a glaring eyesore behind the polished length of the mahogany bar. Perfectly matched side chandeliers flanked an ugly, fifteen foot section of raw wall planks. Yager swore he'd fill that empty space with the best mirror Panamint silver could buy.

No expense had been spared in the construction of the Dexter. The building was made of milled lumber, a rarity in that remote boom-camp. Satin gilt wallpaper adorned the walls except for the space behind the bar and another pair of matching chandeliers of four lamps each hung on gilded chains from a fourteen foot ceiling. Transomed double doors supplanted the traditional batwing entrance.

Even as the last section of wallpaper was smoothed into place and a final handful of pine shavings swept out the back door, the mirror, measuring seven feet by twelve, arrived at Los Angeles after a long voyage around the Horn. There remained now a two hundred and twenty-five mile journey over some of the roughest country in California.

Behind a sixteen mule jerk-team, it jolted up through the San Bernardino Valley and over Cajon Pass. It survived two fordings of the swollen Mojave River, rolled across the Mojave plateau, past Black's Ranch and Pilot Knob. Into the El Paso Mountains went the gleaming mirror, through the parched rocks and the red, cathedral-shaped cliffsides. It wormed its way across the barren sink of the Panamint Valley and arrived at the mouth of Surprise Canyon. The ten remaining miles that separated it from the blank space behind the bar of the Dexter Saloon embraced a five thousand foot ascent over terrain that road crews had compared to the badlands of Hell. Advance riders kept Yager and the Dexter crowd informed of the mirror's progress up the canyon. Installation of the magnificent plate was to be the crowning spectacle of the saloon's opening, which, incidentally, shared honors with Washington's Birthday.

AS each succeeding rider reported, a cheer went up and another round of drinks was proclaimed. Now the mirror was passing Jacob's Mill; now the Narrows, where the canyon walls all but shut out the blue ribbon of the sky. A procession that included most of the town's population followed the mirror up the last mile of Surprise Canyon and halted before the new saloon. The muleskinner was heartily toasted and eager hands lifted the mirror from the dust-caked wagon and bore it toward the wide-held transomed doors. A score of enthusiastic celebrants assisted in the triumphal entry. Fred Yager and a trusted assistant stood on the back-bar at each side of the rough opening to supervise placement of the big glass.

Yager's barmen had served up plenty

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IN STOCK

FACTUAL WESTERN BOOKS

THE TEXAS VENDETTA, (Sutton-Taylor Feud). Photographic reprint of the unobtainable original of 1880. 17 pages (South Texas) $2.50

JESSE EVANS, A Texas Hide-Burner, by Bartholomew. 1956, and the only book ever published on this Pecos River rustler, cowboy and gunfighter. Actual photographs, limited to 500 copies. $2.50

ROBERT McKIMIE, Alias Little Reddie from Texas. Photographic reprint from the rare 1880 edition. Said to have led Sam Bass band in the Black Hills. Wrappers, plenty photos. $1.50

COLE YOUNGER, Life of: by himself. A photographic reprint from the rare 1903 original with app. 20 actual photos, Jameses, Youngers, etc. $3.00

KILL OR BE KILLED, by Bartholomew, published 1953, the lives, trials and tribulations of Hardin, Sheriff Chas. Webb, John Selman, George Scarborough, "Cowboy" Will Carver, Sheriff Lige Brient, etc. These officers and outlaws gunned each other down; the entire tragic chain of death is first told here, with a special rare picture section. $3.00

BILLY THE KID, by Sheriff Pat F. Garrett, photographic reprint from extremely rare 1878 edition, with many photos added. $3.00

BELLE STARR, by Harmon. A photographic reprint of 1896 publication, giving life of this female desperado of Indian Territory and Texas, in detail, with rare photos added. $1.50

CLAY ALLISON, by Clark. A photographic reprint of the original extremely rare edition; all about this gentlemanly gunfighter who hated outlaws, and exterminated them. With photos added, 36p. $1.25

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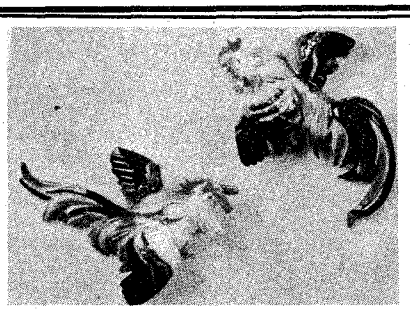

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"The Cow Killers"

(Continued from page 21)

The People looked on in horror. Just an instant before death would have claimed these innocent ones, they were let to the ground, while five more of The People were seized and made ready to take their places.

At last, some citizen would cry out in desperation: "What passes, my general? What do you wish of us?"

Then the lieutenant would smile and speak in soft words. "Why only this, *senores: La Comision* wishes to vaccinate here today. Will you do us the courtesy of corralling and making ready your cattle?"

Many citizens would answer quickly: "But why not, my general? We can be ready immediately. Why did you not explain at the beginning?"

Then the lieutenant would say, "My method saves many words!"

THE OLD WOMAN OF TZENGIO

"Our cattle shall not be murdered!" agreed The People of the village of Tzengio. They said one to another: "When *los matavacas* come, we will defend our livestock. We will gather in a great mob and fight with knives and pitchforks and scythes and stones. We will not permit *La Comision* to slaughter our animals."

The People were agreed and very determined.

La Comision came. The members arrived in an army power wagon. They were eight in number. There was a veterinarian, a captain of the army, a sergeant, a private first class, and four privates.

When members of *La Comision* encountered the sullen mob awaiting them in the town plaza, they stopped the truck. The captain got out. He lifted a hand in greeting and attempted to explain.

"We have not come to kill your cattle," he assured The People. "We have not even brought our needles to pick them. We come only to inspect, to learn if your lifestock has the sickness."

The People were aroused with fear and hatred, but the words of the captain seemed fair. The men considered. Was the captain to be trusted?

The old woman, Teodora Marta, saw their hesitancy and was ashamed. She cried out to the men in a taunting voice: *"Que pasa, hombres?* Are you men—or he-goats?"

Then she lunged forward and stabbed the captain in the chest with a huge knife.

The first soldier was armed with an automatic rifle. He jammed a cartridge clip into the gun and brought it to his shoulder.

But the mortally wounded captain cried out: "No! Do not shoot! Our orders are not to shoot!"

The soldier hesitated. It was only for a moment, but after that it was too late.

The men of the village were quick to act after the old woman had goaded them and opened the fight. They flung themselves upon the soldiers. They tore the guns from their hands. They stabbed them with knives. They dragged them to the ground and beat their heads with stones. They gouged the eyeballs from the sockets of the dead captain's head and mutilated the bodies of the others.

One soldier escaped. He fought through to a nearby store, where the storekeeper slammed the door shut behind him, saving him from the enraged mob. But he had already received horrible wounds and lived only until the following day.

The People of Tzengio had agreed that their cattle should not be murdered.

The Hole in the Wall

(Continued from page 11)

"When we'd ridden up Helena Hill, he pulled up his horse.

"'Let's find out something.'

"All this time I didn't know what he'd done — but I knew he'd done something. I knew Harry.

"He asked me to light a match, and he started counting money . . . He had $280. Then he told me what had happened, laughing fit to kill.

"'I'd like to see her face when she comes in and finds me gone. She'll be mad enough to kill me.'

"'We'd better not show up in Fort Benton for a long time,' I told him.

"WE didn't show up in Fort Benton for about a year. Again we came in off a roundup. Harry was grinning, and I knew that he was up to something.

"'Better not let that girl see you,' I cautioned him. 'She'll put a knife between your ribs.'

"'Could be, but I don't think so.'

"We took a room in the Grand Union Hotel and cleaned up. Harry pulled out a false mustache and put it on. It made a lot of difference in his appearance, made him look older.

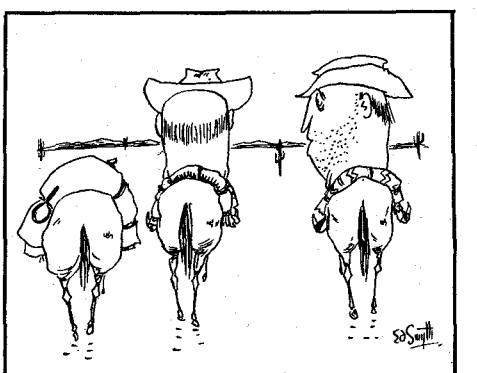
"He headed for the dance hall as soon as it was dark and I followed him. There was a big crowd there, and he went right in. It wasn't long until I saw him having a drink with this girl. Then I saw him get down on the floor on his hands and knees, and she got on his back.

"In those days it was a great stunt to get a girl on your back and try to buck her off. If you could, she had to buy the drinks for the house.

"I got pretty nervous. I expected any moment to see her whip out a knife and start cutting him.

"As I told you before, Harry was very strong and active. Pretty soon off went this girl. Everybody laughed.

"She got up, dusted herself off . . . and bought the drinks. If she ever recognized Harry she never let on."



"I'm worried, Sam . . . all day long I keep thinking it's Tuesday!"

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Truly Western

Old-timers' Corral

Dear Fred:

On your request, I'm sending a photo of myself to go with *Pearl Diving Cowpoke* in this issue.

Pictures of those days are few and far between. Those available are usually badly soiled and faded from being carried in a war-bag and hanging on bunkhouse walls, but I think this-un I dug out of the bottom of my old rawhide trunk is clear enough to reproduce. Sure hope so, anyhow.

This snapshot shows this ol' cowpoke with his "town clothes" on after a visit to the Grand Central Hotel barber shop, where he "took everything the barber had." The hoss is "Puddin" — my roping-hoss. The picture was taken in Roswell, New Mexico, in 1905.

Most of us cowhands out on the Plains kept a trunk at Hub Williams' store in Roswell where we kept our town clothes to step out in when we blowed in to town.

In a way, the picture shows conditions in those days. There is nary a flivver in sight, and it shows two hitchin' posts with some hombre wearin' a mustache tyin' his buggy-horse to the post under Puddin's nose. Across the street you can make out a cayuse with saddle on at a post. You can tell by the shadow that the photo was taken around high noon. (If possible, I'd like the picture back after you've finished with it. My two red-headed granddaughters want it.)

Every time I visit a newsstand I look around to see if there is a TRUE WEST on display, and I sure am disappointed if I don't spot one.

I'm cooking up another batch to offer you some time in the near future.

If you see my old friend Allan Shivers, tell him hello for me. I knew his father quite well when he was District Judge in Jefferson County, Texas. Also, if you happen to see Frank Dobie, give him my best wishes.

Will sign "30" for this time, with best wishes to you and TRUE WEST. Adios, amigo — Vivien Whitlock (Ol' Waddy), 8064 Sepulveda Blvd., Van Nuys, California.

Editor, TRUE WEST:

Please find enclosed three dollars to renew my subscription to your excellent magazine.

I am an old ex-cowpuncher and bronc buster well up in my eighties. I know and love the old West and enjoy reading true stories about it. I have one small kick, however. In a back issue of your magazine I read a story in which the author referred to wild horses here in Wyoming as mustangs. These wild horses are no kin to the old-time mustang.

I doubt if the feller that wrote the article ever saw a genuine mustang; he's not old enough. I haven't seen a regular old-time mustang for over sixty years. They have been crossed with other breeds until little trace of the old broomtails remain. Mustangs — the genuine article — used to come up the Trail from Texas in the 70's and 80's. They were the best little horses that ever lived.—Russell Bradley, 3049 Dillon Avenue, Cheyenne, Wyoming.

Dear Norm:

I sure enjoyed the story on Nate Champion in the December, 1956, TRUE WEST. Nate rode for us. He was employed as a cowboy on my wife's father's ranch on Sand Creek, southeast of Laramie near the Colorado line. Nate was a good cowboy and a gentleman.

I assume that author Bryce W. Anderson got his basic information from the small book, *Banditti of the Plains.* The book was suppressed by the Wyoming Stock Growers' Association, but a few copies survived, one of which I have read.

Vivien Whitlock, author of Pearl Diving Cowpoke, on his roping horse. Taken at Roswell, N. M. in 1905.

Nate Champion fought for the little fellow, the nester. I had a friend, Jack Bell, who was one of the Texas cowboys imported by the Association to fight on its side. Jack wasn't much of a gun-fighter; neither was Champion. Jack was killed by Frank Miller, who was the best man with a gun I ever looked at; and I've seen some good ones. Miller, who is now dead, once shot a cigarette out of my mouth.

Those Texas cowboys who went to fight for the Association were not badmen—just a happy-go-lucky bunch of young fellows who went along for the ride, big wages and excitement.

I sure look forward to each new issue of TRUE WEST. I wish I had the ability to write the many stories I have in my memory. I should have written this one about Nate Champion; I may know as much about that fight as anybody. I have visited the TA Ranch on Powder River where it took place.

Most Western yarns make me sad because it is so apparent the author does not know his stuff. I'll take Norman B. Wiltsey, J. Frank Dobie, and Will James. Too bad James died; he drank too much whiskey in the Northern Hotel, Billings, Montana. Cordially.—Fay E. Smith, 728 North Virginia Street, Reno, Nevada.

Young "Old-timer" Writes

Dear Fred:

I have been reading TRUE WEST for quite a while, as my brother takes it. It is the nearest thing to a *real* Western magazine there is. But all the stories are about the *old* West. I'd like to hear about some real Westerners who are still alive — say around sixty years of age. There were a lot of good riders around the time of World War One — what has become of *them*?

Dave Whyte, Art Acord, Cuba Crutchfield, Nip (Napoleon) Van, Ves Peg, Pat Crissman, Skeeter Bill Robbins, Dell and Bertha Blancett, Dorothy Morrel (Robbins), Jack Hoxie, Edith Sterling, Hazel Hoxie, Rose Gibson, Tillie Baldwin, Prairie Rose Henderson, Leonard Stroud, Mr. and Mrs. Ad Topperwein. These are all people I've known in years past, from 1913 on.

There are many more, but I know what happened to most of them. They were all colorful riders of *our* day.—Blanche Lovern. 3844½ Overland Avenue, Culver City, California.

Replies to J. Charles Davis

Dear Joe:

You asked us readers to write what we thought about Mr. Charles Davis' letter, and what you should print in TRUE WEST about the old West and the people who lived in it. Well, here's what *I* think about it:

I was born a few miles from the line of the Indian Territory in Kansas. I have read a lot of Western history and Western stories and articles of all kinds. I think I can tell when I read a story or article if the author knows what he is writing about. I also know that I want the *facts,* or as close to the facts as is possible. That is the reason I subscribed to TRUE WEST — it comes nearer to the *truth* than anything I have ever read.

Joe, don't worry about ruining any of those old boys' reputations or tearing down any heroes. They didn't pin stars on marshals for good morals. When the people had a bad element to deal with, they hired some one just as bad or worse to kill them or run them out.

Believe me, I *know.* I will soon be 78. I have spent my entire life in the Southwest, mostly in the Indian Territory. I have known some of the older marshals and a few outlaws. Mostly, they were the same breed; about the only difference was the star the marshal wore.

So my advice is to keep TRUE WEST the way it is; the facts are what we want. I believe most TW readers will agree to that.

Incidentally, here's a word to Mr. Jim Marshal of New Mexico about the Rocking R brand:

That brand was owned by Frank Rush, and was established in the Osage Indian Reservation in 1889. Later the outfit moved to the Wichita Mountains, on the Kiowa-Comanche Reservation.

(Continued on page 38)

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Tragedy Trail of Harry Tracy

(Continued from page 25)

a moment later was racing to the store of his employer. When Tracy arose to depart an hour later, Sheriff Cudihee lay in wait beside Johnson's wagon.

Flanked on either side by Butterfield and Johnson, the outlaw moved warily down the path to the yard gate. Then, just as Sheriff Cudihee was about to confront Tracy with leveled gun, local officers Breece, McKnight and Rawley rushed out of the deepening darkness commanding Tracy to throw up his hands.

Quickly the outlaw sprang behind a tree, firing as he leaped. Breece crumpled, drilled dead center. Tracy's rifle cracked again, and Rawley went down, mortally wounded. Running low and swiftly, Tracy dashed for the woods and got away.

Tracy doubled back to Bothell, holding up farm homes for provisions. Again cordons of hunters covered the district. Cornered in a small patch of woodland, Tracy roamed like an Apache, uninjured and deadly. Within this limited area, four men had fallen to his unerring marksmanship and several others had been badly wounded. Not even the bloodhounds escaped his accurate fire. It seemed certain, however, that he was doomed at last. Yet, somehow, he slipped through the net of hunters and escaped again. The feat was incredible, but he achieved it.

While bewildered posses still were brush-beating the Bothell section, the outlaw openly appeared on the outskirts of Renton, twenty-five miles south of his supposed whereabouts. He had with him an unwilling companion, a man named Anderson, in a crafty attempt to avert the suspicion that inevitably fell upon lone travelers.

At the edge of Renton, the pair encountered two young women and a boy picking berries. Tracy pleasantly declared: "I'm Harry Tracy. Don't be frightened. I never harm women."

BY this time, Tracy was not only hungry but in need of ammunition. He ordered the girls and the boy to precede him to a house nearby. Gaining the yard, Tracy roped Anderson to a tree. Herding the boy and the girls ahead of him, the outlaw entered the house to meet the boy's frightened mother, a Mrs. Jerrolds. Tracy quietly assured her that nobody would be harmed if his instructions were obeyed.

During dinner preparation, Tracy wrote a note, put it in an envelope with some money, and sent the boy to buy cartridges for him in town. He threatened death to all should the youth betray him. After the lad left, he smiled at Mrs. Jerrolds and said softly: "I'm just bluffing, Ma'am."

Maybe the boy thought Tracy *was* bluffing. Whatever his thought, he was certainly responsible for the bringing back of ammunition — strapped around the waists of sheriffs' deputies! Tracy became aware of this as, through a window, he spotted an ambitious photographer "shooting" the premises. He also observed the armed men partially concealed in yard shrubbery.

The outlaw remarked, "Looks like we got company. I better be going."

Bidding a polite farewell to the ladies, Tracy stepped cautiously outside. Luck was with him, for just at that moment poor Anderson was discovered tied to the tree. A deputy shouted, men came running, as Tracy slipped away through the shrubbery.

For weeks the daring outlaw played hide-and-seek with the lawmen of King County, appearing in unguarded places for provisions and then vanishing. Tiring eventually of the game, he stole the tethered horse of a posseman and simply rode off. Thereafter, all trace of him was lost.

More time passed. Search continued in the Seattle area while Tracy made his stealthy and unidentified way into eastern Washington. There, with colossal bravado, he called Sheriff Cudihee's office on the telephone, gloatingly deriding the law's failure to run him down.

That phone call was a stupid and fatal mistake. The call traced, law officers — among them Sheriff Cudihee — swarmed into the district. Citizens and ranchers were alerted to be on the lookout for Tracy. Then, amazingly, for days following the bragging phone call, all sign of the killer was lost.

EARLY in the morning of August 5, a gaunt, raggedly dressed man carrying a bedroll approached L. B. Eddy on the latter's ranch near Creston, west of Spokane, far from the area from which Tracy had made his phone call.

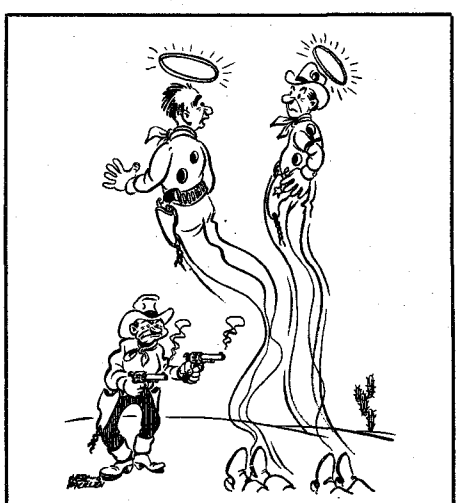
The man posed as a farm hand, seeking a job. Eddy wasn't fooled. He had been alerted, was familiar with Tracy's newspaper photographs, and instantly recognized the tattered stranger as the escaped convict. Later in the day, through the aid of a young neighbor, Eddy sent word to the sheriff's office at Creston that Tracy was at the ranch.

Deputy Sheriff S. J. Straub, receiver of the tip, deputized citizens Dr. E. C. Lanter, Maurice Smith, J. J. Morrison, and Frank Lillengren, and hastened on to the farm. Nearing the premises, they came upon Eddy driving to his barn with a wagonload of hay. While talking to Eddy, Deputy Straub observed a man at the stable.

"Is that Tracy?" asked the officer.

"It certainly is!" replied Eddy.

Following instructions, Eddy drove his loaded hayrack to near the barn door. The posse walked in a compact group behind the hayrack. As the wagon stopped, Tracy came out of the stable to help his employer, and for the first time noted the lawmen.



"Shade fast, ain't he?"

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At sight of Tracy, Straub excitedly shouted: "Throw up your hands! You're under arrest!"

Instantly, Tracy whirled and darted back into the barn. Immediately, he reappeared at the door carrying a rifle. He fired one shot that missed, ducked around the wagon and behind the barn and raced away.

The posse fired at the speeding fugitive just as he dodged behind a small boulder. As the lead glanced in screaming ricochet from the rock, Tracy jumped from behind the boulder, fired once at his hunters, then dashed for a nearby wheatfield. Bullets whizzed about him as he ran. As he reached the edge of the tall, growing grain, he jerked suddenly and fell, but dragged himself on hands and knees into the field. Obviously, he had been hard hit.

Darkness was falling. The five-man posse, fearful of entering the field in gloomy light, awaited the arrival of Sheriff Gardner with reinforcements. Soon, following the appearance of the Sheriff's party, a single shot from the wheatfield was heard; then only unbroken silence.

Early the next morning, the posse worked its way cautiously into the field. Presently, they came upon the lifeless body of Harry Tracy. With leg-bones bullet-shattered, hopeless of escape, the multiple killer had taken his own life rather than be captured.

The West's greatest manhunt had ended.

"Young Jesse James"

(Continued from page 10)

cal search of every foot of the ranch. Biggs' squad discovered a crumbling old shack in a back meadow. Waving the jittery civilians aside, the Constable drew his service revolver and entered the apparently deserted shack alone.

Nobody was inside — but Biggs noticed a trap-door in the middle of the rotting floor. He lifted the door by its ring-bolt and called "Cashel!" into the gloom beneath. No answer. Biggs lowered the door and went outside to get a lantern from a member of his squad.

Back inside the shack Constable Biggs laid his gun on the floor, raised the trap-door with one hand and lowered himself carefully down the steep rickety stairs holding the lantern before him with his free hand.

Halfway down the stairs Biggs heard the ominous sound of heavy breathing somewhere in the dank, dark cellar-hole below him. He turned his light in the direction of the sound — and flashed it full on the haggard white face of Ernie Cashel!

Desperately, Biggs leaped up the stairs for his gun, scrambling through the trap-door just as a bullet shattered the lantern in his hand. The officer fired one answering shot down the stairs into the blackness below and slammed down the door.

Quickly, Constable Biggs spread his men around the shack and waited for Inspector Duffus, his superior officer, to come up with the rest of the posse.

"Burn the shack!" ordered the Inspector promptly on his arrival. "Shoot if you must when he comes out."

Hay from a nearby haystack was piled against the shack and set afire. Choking black smoke seeped through the smouldering boards and filled the

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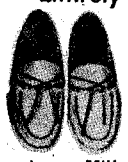

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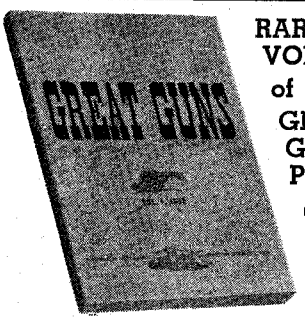

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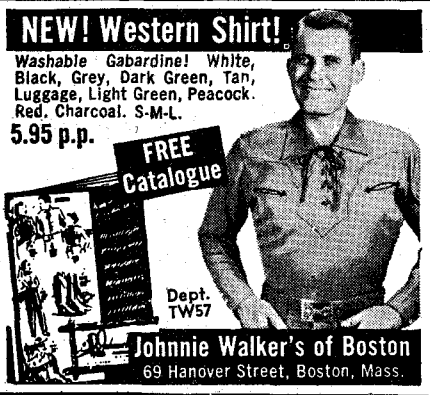

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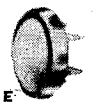

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shack. Inspector Duffus yelled to Cashel to come out.

A muffled voice replied from the cellar-hole. "To hell with you! I'm not coming out to be hanged — I'm going to kill myself. You'll find a letter to my mother on the floor."

More hay was thrown on the fire and the moldy old boards of Cashel's hiding-place began to blaze. Duffus tried again. "Come on out, Cashel, or we'll burn you out!"

"Come and get the letter before it's burned!" Ernie shouted back. "For God's sake put out the fire — I don't want to be roasted alive!"

"Come out then — with your hands up!" replied the Inspector inexorably.

Silence from the blazing shack — silence suddenly broken by the sound of a revolver shot. Ten seconds dragged by while the posse wondered whether Cashel really had killed himself. Three seconds more — and the trapped murderer screamed hoarsely: "I'm burning — I'm burning! Don't shoot—I'm coming out!"

Hands over his head and eyes streaming tears from the smoke, Ernie came out on a stumbling run. "I'm sick of the whole damned business," he moaned, holding out his wrists for the cuffs. "Hang me — I'll be glad to get it over with!"

Hang him they did — on February 2, 1904. In the best outlaw tradition, Ernie Cashel walked firmly to the scaffold cursing the Police at every step. The trap dropped away from beneath the young killer's feet — and it was quickly over, as Ernie had wished.

SOURCES:

IN SCARLET AND PLAIN CLOTHES —T. Morris Longstreth, Macmillan, N.Y.C. 1933

THE ROYAL CANADIAN MOUNTED POLICE —R. C. Fetherstonhaugh, Carrick & Evans, Inc. N.Y.C. 1938

Pearl Diving Cowpoke

(Continued from page 27)

that would allow me to ride the cushions of a passenger train back to the Staked Plains, but didn't have any money to eat on while making the trip. Of more immediate urgency was the fact that I couldn't pay my hotel bill.

As I stood leaning up against a lamp-post studying the situation over, I remembered reading a notice tacked on the wall of my hotel room telling in no uncertain terms the penalty for any jasper who might jump his board bill or room rent. Just to show how completely Lady Luck had deserted me, leaving me without car fare back to the hotel and no breakfast, an old fellow dressed in rags and wearing a battered derby hat shuffled up near where I was standing, reached down and picked up a four-bit piece from the sidewalk almost under my foot!

I tried to convince the old codger that it was my coin, but he glared at me and snarled: "Listen, sonny! You do your snipe-huntin' on the other side of the street. I'm shootin' 'em along *this* gutter."

High heeled boots are not made to walk in. Mine rubbed big blisters on my feet on the long walk downtown to my hotel. I hunted up the hotel manager and asked him, "How about me workin' for you to pay up my bill?"

"What's the matter, cowboy?" he inquired. "Big town take you to the cleaners?"

"The bank's busted I put my money in an' I'm busted flat," I replied. "I'd like to work for you till I can pay what I owe you so I can leave town."

"Just what can *you* do around a hotel?" he smiled as he glanced from the crown of my Stetson hat down to the toes of my Hyers boots.

"Hell, I ain't particular what I do so long as I can pay my bill and have a few bucks to eat on while goin' home," I pleaded. "I'll chambermaid, peel spuds an' help the cook. Or I'll go back there in the kitchen an' pearl dive."

"What do you mean, 'pearl dive?'" he asked, staring at me like a Kentucky thoroughbred might stare at a little old mustang pony.

"Man, you run a hotel and don't know what pearl diving means? That means washing dishes."

"Have you ever washed dishes?" he asked, sort of skeptical-like.

"Yeah, lots of 'em," I assured him. "Washed dishes all my life around ranches an' cow camps, and helped mother when I was a kid."

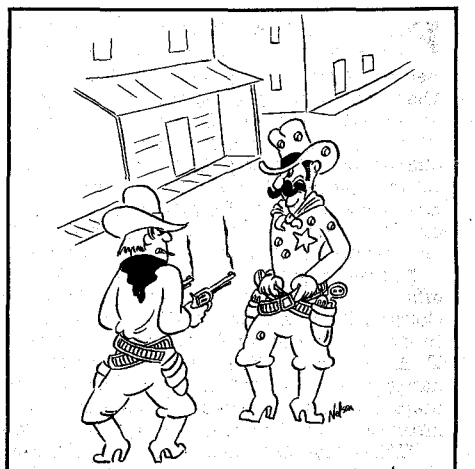
He went to the register and figured up my bill and found I owed him six dollars. "Tell you what I'll do," he said. "I'll pay you a dollar a day to wash dishes. You can sleep on a cot in the hall. For grub you can eat the come-backs from the dining room."

I closed the deal by shaking hands with him real quick, before he could back out of the bargain. He took me back to a kitchen sink filled with breakfast dishes, handed me a towel, and I started work.

I didn't think it would be a hard job. About the worst things to remove from the tin plates I'd been used to washing was sorghum lick, *frijole* juice, and gravy. But they didn't have eggs in cow camps, and I soon found out what I was up against.

Those dad-blame hotel dishes looked as if everyone who used them had eaten eggs for breakfast! Thick layers of yolk were smeared over them—yolk that had dried hard and had to be scraped off with a knife. Many small dishes and glasses had been used to serve soft or medium-boiled hen-fruit, and these were in the same sorry condition.

After washing and drying them, I stacked them where the old hard-boiled Simon Legree type cook could reach them. He handed many plates back to me with a growl to "Git the yeller off!"



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The hashers even brought dishes back from the dining room with yellow streaks on them the cook had overlooked.

Man, it was rough! I stuck it out for ten days, squared myself with the hotel, and had four bucks to eat on while riding the cushions back to Texas.

Ever afterward, when I ate soft or medium-boiled eggs or "two with their eyes turned toward Heaven," I'd take a piece of bread and carefully mop the yellow off the dish while it was soft, so the pearl diver back in the kitchen would get a break. In my book, he's one of life's unsung heroes.

Frontier Pix

Jim Courtright, Union Scout, frontier character and man slayer.

Courtright the Longhaired

(Continued from page 13)

sumed indignation among his friends when it was known that he was in arrest."

In short, Jim Courtright was the sort of man who was either liked or disliked whole-heartedly. In Fort Worth he had friends who would take large risks in his behalf. Also, men who did not even know him were—in this matter—sympathetic to him.

FORT WORTH citizens believed that Courtright was being railroaded to a necktie party. Men believed the rumors that Jim—acting as agent for a cowman—defended his employer's property against a couple of Greasers of the worst character by killing them. Furthermore, it was believed that the warrants had been sworn out by friends of these Greasers. It was a dirty, underhanded deal that would end in Courtright's lynching.

The strange actions of the New Mexico officer lent color to the story. So when Courtright was taken to the Union Depot to await the arrival of the west-bound T & P train, "an open, lawless and dangerous attempt at his rescue was made by a large crowd," so General King informed the Governor. King continues:

"This attempt failed, partly through the coolness of the two Rangers who had Courtright in charge, and partly through

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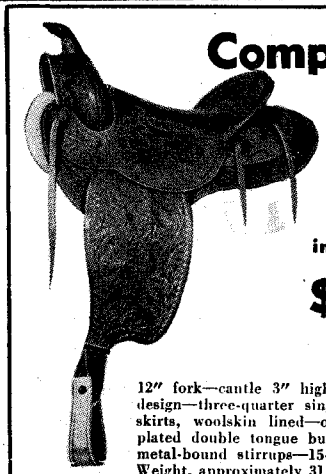

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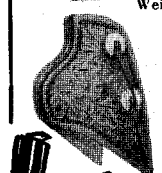

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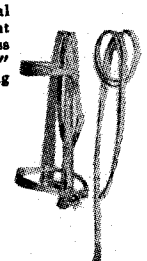

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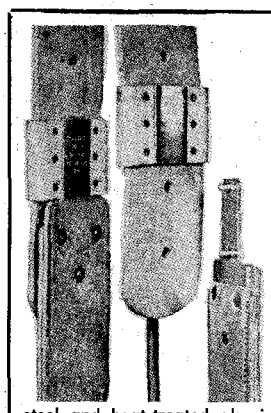

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the efforts of Judge Hood of the district court, Sheriff Maddox and others, who assisted in keeping the mob from any overt act of violence, and succeeded in having the prisoner conveyed to the county jail."

Word of the mob's attempt to rescue Courtright reached Austin on Monday, October 20. The Governor ordered Adjutant General King to take the first train to Fort Worth to aid the civil authorities in preserving order and securing the execution of the law. But before King reached Fort Worth, he was notified by telegram of Courtright's escape the night before—Sunday night. He could only go on and investigate.

Richmond, the New Mexican officer, was afterward charged with both misconduct and folly. The charges seem mild indeed when it is known that he insisted on taking Courtright out of jail on Sunday to get his meals from an eating house. He ignored the protests of Sheriff Maddox and Ranger Lieutenant Grimes. In spite of the obvious sentiment of the city, on Sunday morning he took Courtright down to a restaurant on Main Street and picked the restaurant—or was persuaded to enter the restaurant—which was the known resort of many of Courtright's closest friends.

At noon he repeated the weird performance. At sundown he headed the little party of four back to the same place. The restaurant was crowded with friends of Courtright. The crowd pushed in to "say goodbye" to Jim. The Rangers scowled, for this whole business of being under Richmond's orders, and so made party to foolish risks, was galling.

The crowd surged in—and suddenly Courtright stood erect, a Colt in each hand. Knowing Richmond's favorite table, Jim's friends had simply hung the guns on nails under the table ready to his hands the moment he arrived!

"I won't be going to New Mexico with you," he informed Richmond. "I got other plans!"

The Rangers and Richmond were surrounded by armed men; they had no chance to resist. Courtright backed to the door; whirled and dashed to his horse waiting outside. His get-away was well-timed and perfectly executed.

General King held a formal inquiry into the whole odd affair. He cleared Lieutenant Grimes and Corporal Hayes of all blame. They had been ordered to act under Richmond's orders. No discretionary powers had been authorized them.

COURTRIGHT went to South America. Some time later he came quietly back to Fort Worth and surrendered. The result was what he had anticipated.

The witnesses were scattered. A jury was empaneled from men who were strangers to both Courtright and the two Frenchmen—men ignorant of the case itself.

Jim Courtright was honorably acquitted. From then on he did various things to make a living. I have heard that he traded horses; that he was a saloon bouncer; that he served as a deputy sheriff during the big railroad strike of '86.

The old-timers used to marvel over Courtright's uncanny skill with six-guns. They said that his hands, snapping to the butts of the .45's in their cutdown holsters, were "like racing snakes darting into holes." Jim was a deadly shot with either hand, which was unusual with gunmen who pulled as flashingly as he. Frequently, the man who was extra-quick on the draw figured to make up by the number of shots he fired for any lack of accuracy in aim. Not Jim Courtright. Danger and tension, the old-timers say, seemed only to increase his coolness and dexterity.

Jim opened the T.I.C. Commercial Detective Agency. With its inauguration, Jim became extremely unpopular with the gambling fraternity. Not many men would talk openly of a gun-fighter of his outstanding ability; but the gamblers soon became disgruntled at the shakedown tactics employed by the T.I.C.

Gambling flourished in Fort Worth, in violation of certain ordinances made, provided, and comfortably ignored. To the gamblers came Courtright and his aides, racketeering. The gamblers paid off regularly, in return for shut mouths on the part of the T.I.C. It was a sorry business and one certain to end in violence. Jim Courtright had slipped a long way from the place he had once held in men's esteem.

His racket brought him into contact with Luke Short and sparks began to fly.

SHORT'S name sticks out as if red-lettered on the records of Leadville, Colorado; of Dodge City, Kansas; of Tombstone, Arizona. He was a small man, around five-six in height, who never weighed a hundred and fifty pounds. Luke had quit trailing cattle to Kansas to wander to Nebraska and engage in bootlegging whiskey to the Sioux. When the Army broke up this profitable racket, Luke drifted to Denver. From there he went to Leadville, which was a hell-roaring community in those days, crowded with gunmen. A badman picked a row with Short, and the little Texan shot him neatly between the eyes and thereby earned his title of "The Undertaker's Friend."

Later, Luke hit Dodge City, Caldwell and the other cattle towns, always as a gambler and saloon man. He followed his friends, the Earps, to Tombstone. There he killed the well known gambler, Charley Storms. He went back to Dodge and, in '83, fell out with the city ring. They ran him out of Dodge. Backed by Wyatt Earp, Bat Masterson and their

"Mink! Beaver! Silver Fox! Can't you bring home a nice big buffalo hide that I won't have to sew together?"

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like, he staged a triumphant return. The mayor and the sheriff capitulated, abjectly, completely and in haste.

This, then, was the soft-voiced, smooth-faced, immaculately dressed little man who ran the White Elephant Saloon—the gambler to whom Jim Courtright came with his racket. Short considered the demand briefly; then invited Courtright to go jump in the nearby Trinity River. Jim glared at the cool little gambler and stalked out of the saloon without making a play. Luke wasn't fooled; he knew that Courtright would be back.

Fort Worth realized that trouble between two such as Luke Short and Jim Courtright was inevitable. Nothing short of a miracle could prevent this feud from ending in gun-smoke. Neither man had ever been known to take a backward step—until Courtright had walked out of the White Elephant Saloon with Luke Short's taunting jibe ringing in his ears.

Sure enough, Courtright soon came again looking for the stubborn little gambler. A mutual acquaintance brought Short outside the White Elephant to meet Jim. The little man stood looking at Courtright, keeping his thumbs hooked in the armholes of his fancy vest. The talk became heated. Short dropped his hands, as if to smooth his vest. It was no time for movements even remotely suspicious. In such times as this, many a man in Texas has committed suicide by reaching abruptly for his handkerchief!

"Don't you pull a gun on *me!*" Courtright snapped at Luke.

"Why, I'm not trying to pull a gun!" protested Short, in a pained tone. "I ain't got a gun there—see?"

He began pawing at his vest—and all the time his hands got lower, closer to his belt, closer to the pistol on his hip. Jim Courtright was not the man to be taken in by such maneuvering. He went for his gun, the right-hand gun. Short's hand flashed back to his hip. He had the edge, through his crafty pretense of showing his "unarmed" condition. His hand was already close to gun-butt when Courtright started his draw.

Both guns snapped out in the same split-second. Short fired so wildly that he would have missed Courtright by two feet—but for the upward jerk of Jim's hand. That first wild bullet tore into the hammer thumb of Courtright's hand; smashed it at the moment it was pulling back the hammer of the single-action .45 Colt!

Jim wasted no time, then, in reaching for his left-hand gun. Instead, he tried to throw the pistol from right hand to left hand, in what is called the Border Shift. But that split-second of time required for the maneuver had given Short opportunity to pump lead into Courtright's body. Down went the longhaired gunman, dying, with no spectator more amazed at this stunning reversal of the town's expectations than Short himself.

As one remembers Jim Courtright, it is only fair to remember *both* sides of him. He was neither all good nor all bad—and if he died as would be called today a racketeer, before that he had been a good soldier, a valued scout and a fearless peace officer.

"You and your crazy friends! Why can't they throw rice and old shoes like other people?"

The Passing of Tom Horn

(Continued from page 23)

days, helped the Undersheriff and Ed Smalley lift Tom onto the trapdoor. Evidently Tom could make out the hulk of Ed Smalley from behind the hood. His voice sounded muffled.

"What's the matter, Ed? Getting nervous?"

Smalley went over and leaned against a post of the gallows with his arm up to his face. He didn't answer. Next, the condemned man turned toward his old friend, Joe Cahill. "Joe, they tell me you're married now." Cahill didn't speak either. "Well, I hope it works out well, Joe. Treat her decent."

Without a tremor, Tom Horn stood on the trap for over thirty seconds waiting for the blunderers to spring the trap. Beyond a doubt, he was the most collected person in the yard. Suddenly, the leaves of the trap crashed downward with a report like a small handgun. Tom Horn was swung into eternity—supposedly—at a little less than four feet. His neck didn't break and the scar he had received in the fight over at Dixon turned purple and throbbed with each beat of his heart. However, the hangman's knot had slammed into Tom's temple and rendered him unconscious.

Tom Horn hung, dangling, for close to twenty minutes, twisting slowly with occasional spasmodic jerks, while an imported physician stood by checking him, testing for pulse every minute or two. Finally, Tom Horn's powerful heart fluttered a little and ceased to beat. The professional killer, Tom Horn, was dead; but, more important to the territory, he was dead un-confessed. His employers were never known.

Kels Nickell was standing just outside the jail-yard and asked the first man to come out, "Is the son-of-a-bitch dead?" He got his short answer and limped away, smiling.

Tom's body was laid out at Gleason's Mortuary and was duly examined by all who knew him in the area, plus hundreds who did not. He was certified dead by those qualified, either through training or experience, to know a corpse when they saw one—and a whale of a lot of people who didn't know one from the other. And, the facts remain unaltered with the passing of time. Tom Horn died, probably of strangulation while unconscious, but he died nevertheless that

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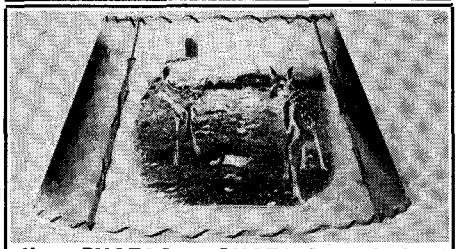

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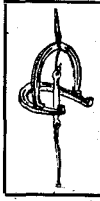

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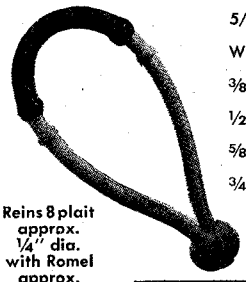

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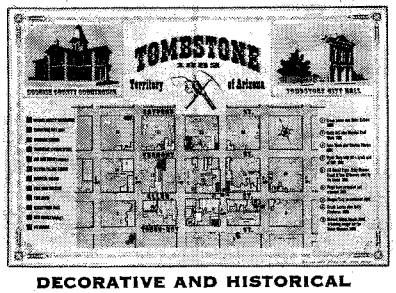

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day of his execution and was not "spirited away to live out his alloted years in Mexico," as three "authorities" claim.

Editor's Note:

If TRUE WEST were to print only articles that had been read in advance by all known authorities, friends, enemies, historians and kin and pronounced true by all — there would never be another issue of this magazine printed! It is impossible to get any group with even a reasonable amount of knowledge to agree on all points about any man or event.

Tom Horn is an especially controversial subject in the country where he was active. He was a hero or a heel — depending mostly, it seems, on the side you were on. It is impossible to present, therefore, an unbiased, accurate, last-word article on such a man. For actually, who knows all the truth? Tom Horn himself knew — but then he isn't here to tell it.

If you have some information on the man that isn't hearsay, write it in the form of a letter and we'll use it in Truly Western. We are especially interested in hearing from anyone who might have known Tom Horn personally — even slightly. Thanks!

The Lost Breyfogle Mine

(Continued from page 18)

A landslide from the mountain could have overlaid the hill, covering up the quartz outcrop. Drifting sand might have obscured it. Go into the Death Valley region to look yourself by such vague directions as the wandering-minded Breyfogle gave. Space, space, cactus, sand, heat, thirst, greasewood, sidewinders, mountains — always mountains and sands, beyond, behind, all around. That is what you will find.

MEN who heard Breyfogle talk and then went out to be baffled did not believe him; yet they hoped that what he said was true and they did believe him. And always there remained the sample of blood-red quartz in Breyfogle's blue denim pockets — evidence irrefutable that somewhere, somehow, he had found gold. Perhaps this gold itself and not his experiences on the desert had turned Breyfogle's mind. Such things have been, as when many years ago a once robust man of Dutch descent staggered into Miami, Arizona, with wonderfully rich samples of gold ore he said he had picked from a ledge in Superstition Mountain. But he was a maniac, irrevocably crazy from the excitement of his find. The Lost Dutchman Mine, named after him, remains to this day a name — a dream — an *ignis fatuus,* as famed as the Breyfogle itself, to lure prospectors on.

But where did Breyfogle pick up the quartz — the one thing certain out of legend-befogged accounts? The desert is forever inexorably, pitilessly mute. It answers the cry for gold no more than it answers the prayer for water. Breyfogle's gold is still lost, and year by year men still go out to look for it, believing in it so absolutely that they will stake — and lose — their lives on its reality.

Or is it that the dream is the only reality — more real than Death Valley itself?

Truly Western

(Continued from page 31)

The last I heard, the Rocking R brand was owned by Frank Rush's son. I am pretty well acquainted with the old brand and the outfit's locations in Oklahoma and the Texas Panhandle.

Best wishes to the whole staff of TRUE WEST. You folks are doing a good job on a tough proposition; don't let anybody tell you different.—A. A. McCutcheon, Box 44, Eufaula, Oklahoma.

Dear Joe:

Referring to the Davis letter:

If you're gonna be popular and sell magazines, you gotta hate or worship. A well balanced, cool, undisputed factual article won't stir emotion. Now you *have* to be popular and make expenses so we can continue to get TRUE WEST!

In my opinion, you have handled controversial articles in just the right way by printing *both sides* of the controversy; as the writer *thinks* it happened and as other folks think it happened. Airing both sides of an argument and referring an article to a matching article with a different viewpoint is a bang-up idea for those of us who know there is good and bad in all human critters.

One question: Can't we get some of Fred Gipson's stories in TRUE WEST? —Glenn T. Gough, O. D., 710 Kansas, Topeka, Kansas.

Dear Mr. Small:

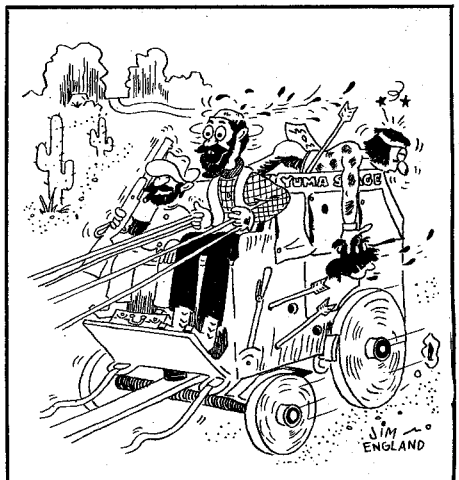
I am an ardent reader of TRUE WEST and think you have a wonderful magazine.

You asked for reader opinion on Mr. Davis' letter. I, for one, don't agree with him. If Wild Bill Hickok and Wyatt Earp, for example, were no good, I figure it is up to TRUE WEST to tell us so . . . —W. C. Davis, Box 606, Roseburg, Oregon.

Dear Joe:

Regarding our old West heroes:

How many TRUE WEST readers have read Stanley Vestal's *Sitting Bull* or *Kit Carson*? Plenty, I'll bet. No one could possibly say that Stanley Vestal is not an objective historical scholar. But he *does* manage to fictionalize his facts, the good traits of his subjects and the bad, so that his books are reasonable—and readable.



"Wish I could git rid of this durn headache I got back in the pass!"

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So far I haven't any quarrel with the way your articles are written. I don't expect your writers to be profound scholars; their own emotional reactions and what they read will always color their writing. Let TRUE WEST continue as it is . . . —C. L. H. Weeks, Norman, Oklahoma.

Howdy, Joe:

First, let me tell you what a damn fine magazine you put out. (But not often enough). I'd like to speak a word on the Davis letter in the February issue:

I agree with Mr. Davis in what he says about not being able to get the real dope on the men of the old West. However, I don't think that TRUE WEST should tell only one side of a story. If you print *anything*, give *both* sides a chance . . . —Brad Prowse, 565 Norwood Drive, Hayward, California.

Dear Joe:

In response to your request for answers from your readers to Charles Davis' letter on the matter of telling the good side only about people of the old West, I certainly believe in calling a spade a spade and letting the chips fall where they may. How *else* can you live up to your title of TRUE WEST?

In the first place, you and I and every thinking reader know that — contrary to a lot of Western authors of fiction and historical pieces, and Lord knows how many hundreds of Western films — the real pure hero and the real black villain exist only in the imagination of the writers.

I say that TRUE WEST can only be true to its avowed purpose if it continues to seek fearlessly for the facts and to present them as such. Blind prejudice has colored too much Western writing. The newsstands are full of pulp Western fiction and so-called factual articles whose authors have an axe to grind. As of now, TRUE WEST is in a class by itself. Let's fight to keep it that way.—Tom Wright, 702 Sharp Bldg., Kansas City 6, Missouri.

Dear Joe:

In response to your request for "letters or votes" in reply to Mr. J. Charles Davis' viewpoint on famous figures of the old West, I will say this:

Continue to give us the old-time stories, with plenty of old-time photographs, regardless of the viewpoint of the writers and let the cow chips fall where they may.

There will always be a very small percentage of TRUE WEST readers who will get a thrill out of wearing out encyclopedias and bicycles running down what they'll call TRUE FACTS. (Their letters will be very interesting also.)

There have *always* been different versions of incidents and happenings taking place in the old West *even among participants and bystanders*. Therefore, let's just rare back and read the various versions and enjoy all of 'em without getting all riled up over occasional variations between writers. Who knows the *exact* truth anyhow? *Nobody!*

I think it might be a good idea if Mr. Davis would submit a yarn or two of his own now and then, complete with old photographs.

Thanks very much, Joe, for letting us know about this matter. Always feel free to holler when you need votes to clarify a situation. Make TRUE

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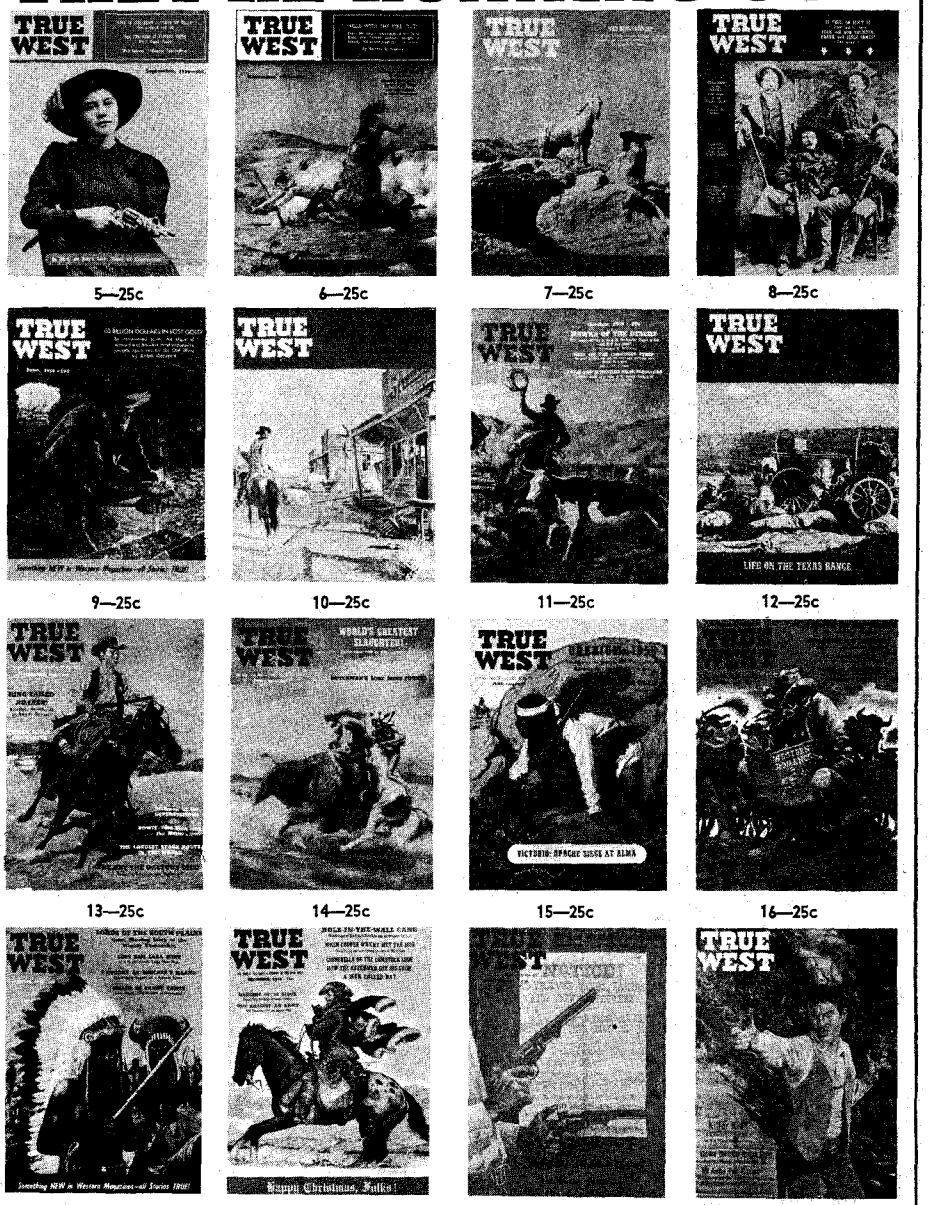

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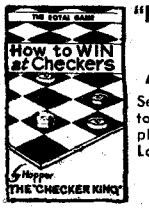

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WEST a monthly soon as you can swing it. Good luck to all the staff.—Ben Miller, 240 Hickox Avenue, Santa Fe, New Mexico.

Dear Editor:

In his letter, J. Charles Davis raises an interesting point concerning the reputations of famous men of the old West. He states that you could make a case either way, depending on which side you wanted to believe.

That may be true, but it is the duty of a capable historian to check the facts. If a person gives him any information, he checks it to make sure he isn't sold a bill of goods. Many people will claim to be eye-witnesses of events that never took place. Others will blithely deny well documented events. I, myself, have been accused of being a liar for mentioning an event within a week after it had made screaming headlines in the papers.

The careful historian must check all his sources. Witnesses are generally compelled to furnish affidavits, copies are made of all records, etc. It is a task that takes years; it can't be done in an occasional afternoon.

Debunkers seldom bother to check anything, as they are looking for sensationalism rather than facts. For an example of how they operate, there is the story one debunker told of Wild Bill Hickok. Bill is supposed to have prevented the closing of a brothel in Ellsworth, Kansas, by storming outside waving two pistols and shouting that he would make the street "the bloodiest slaughterhouse in Kansas!"

This sounds exciting, but fifty years ago, Mr. Connelly, of The Kansas Historical Society, did some research work on the subject and found that Bill never was in Ellsworth . . .

Another example is Carl Howe's twisting of the facts about Montezuma's death. He states in his article, *Did The Dutchman Find Montezuma's Treasure?*, that Montezuma begged to be killed lest he be carried away to Spain, and that his chief councillor killed him with a bow and arrow. Mr. Howe also states that Cortez returned a few years later, supposedly from Spain, with a larger army and conquered the Aztecs. He also says that a daughter of Montezuma married the man who shot her father and that they became rulers of the Aztec people.

Turning to a good encyclopedia, I did what Mr. Howe *should* have done. I checked the facts. The facts are these:

Cortez arrived in the Aztec capital on November 8, 1519. He took Montezuma prisoner because of attacks on his soldiers. Montezuma was wounded by a stone flung by his own people during a riot. The Spaniards bandaged him, but he was so disheartened by his own people turning against him that he kept tearing the bandage off and finally died on June 30, 1520. A nephew—Guatomoc, I believe, tried to rule, but didn't make the grade.

Cortez left the city, fought a hand-to-hand battle with the Aztec army, defeated them, and retreated to the mountains of Tlascan. There, he manufactured firearms and gunpowder, made small craft which were taken apart and carried over the mountains in sections, and returned to Mexico City.

He did *not* have a larger army. He had the survivors of his original force of 400 soldiers, plus what Indians he could recruit in Tlascan. With this force he laid siege to Mexico City and fought his way into the city. Four months later, August 16, 1521, Cortez took what was left of the city.

Mr. Howe should have known all this, as it is a matter of common knowledge. His false version makes me doubt the rest of his story.

For a magazine that uses the word TRUE in its title, you sure publish an awful lot of tripe.—Edwin Sigler, 546 Ellis, Wichita 9, Kansas.

Howdy, Joe:

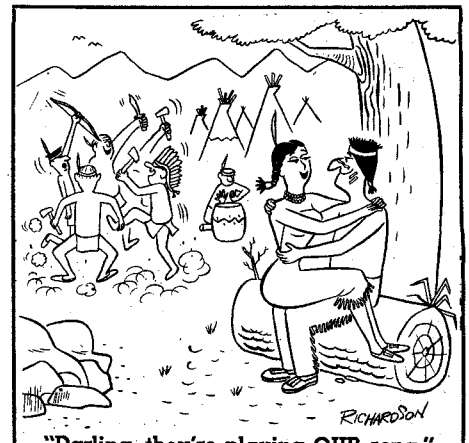
J. Charles Davis, from the grand old state of California, wrote you a mighty fine letter as printed in your February issue of TRUE WEST. I'll go along with him on it one hundred per cent. I think you should lend a more receptive ear to such letters and fill your wastebasket with the ones that call dead men rats, heels, etc.

I wouldn't call any dead man any derogatory name that I would be afraid to call him to his face, and I have serious doubts if many live today that would have stood up before Wyatt Earp or even Bill Hickok and said the things some have said to the world through the pages of your magazine. Furthermore, having lived on this old earth a long time, I have observed that few of us have any right to criticize anyone else. If we go back a ways, we can generally dig up plenty of our own dirty laundry without dragging anybody else's into the light.

Coming right down to the facts of my likes and dislikes, it's the wrangling over hearsay "facts" that really gripes my soul. We all know that every time a story is told it's twisted a little—and by the time it's handed down two or three generations the good Lord in Heaven only knows what the facts were in the first place.

I would like to see you soft pedal a bit any scandalous tales about the heroes of the old days. Any human being with a lick of sense knows those men were not angels; and as Jesus said in the Scriptures: "Let him that is without sin among you, first cast a stone at her."

However, after we have all cussed and discussed the matter and you have read all our letters and no one has profited from it all except Uncle Sam who has collected three cents from each of us; why in the name of Salt Peter don't you run your magazine the way you want to? If any of us get to not liking it strong enough, we can quit sending you three bucks every now and then and that will turn your water off as far as we are personally concerned.



"Darling, they're playing OUR song."

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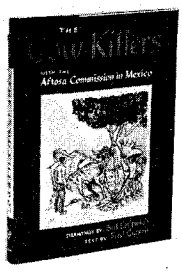

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That story in the February issue, *Bravest of the Braves,* by Norman B. Wiltsey, is the kind of true story I like. It is a good one, well written, and builds confidence in mankind one for another. One short story such as that, about a good man, does more good than a volume of scandal and mud-slinging.—L. R. Cort, Senior, Rt. 1, Nelson, Missouri.

Joe's Note:
Howdy, Bro. Cort, you old skunk-stomper!

Man, yes — we do run this here turrible rag pretty much the way we want to, but now and then I keep thinking of that poor old mule. It's an oft-told tale and you've probably heard it a dozen times — but you can't stop me now!

A traveling man drove up to a farmer's house and got out to borrow a dip of snuff. He saw a shaggy old mule trotting through a woodland. Every now and then that mule would hit a tree head-on and it would knock him flat on his hunkus.

"That poor old blind mule!" the traveling man exclaimed. "Why don't you pen him?"

"That mule ain't blind," the farmer said. "He's just stubborn. He starts out one way and don't want to change directions!"

That mule had determination and will power all right, but he was running a good thing into the ground. Poor devil finally got punch drunk and went plumb loco.

We don't want to do like that stubborn mule and wander too far down a blind alley. Just as there is good and bad in all of us, there are also blind spots in the best tastes and direction — so we like to see a vote from our readers now and then. Wouldn't it be lonesome for old Joe to wake up some morning and find that I'm the only one left that's reading TRUE WEST. Would cost me about $12,000 a copy!

See what you done — you got me started! That expensive reading statement I just made reminds me of the packer who specialized in pickled pigs' feet. That man had a strange quirk in his appetite — he liked a dash of ammonia on his pickled pigs' feet. So he said to heck with his customers, he was going to put those pigs' feet up the way he liked them.

You know, the way it turned out, that old boy was the only man in the world who liked a dash of ammonia on his pickled pigs' feet and he was plumb whupped in less than two weeks. He just flat couldn't eat enough pickled pigs' feet with a dash of ammonia added to keep hisself in business!

You're probably right about nobody profiting from all this exchanging of opinions except the Post Office, but each of us will get a certain amount of personal satisfaction out of airing his views. And, after all, the way this old world is now there isn't a whole lot of personal satisfaction left in the daily grind. *Maybe it's a pretty valuable thing after all.* So let's just keep voicing our views the way we see them from the bottom of our hearts through old TRUE WEST.

Ain't that something our forefathers fought a good bit over — a little old word called democracy?

Goof Department

Editor, TRUE WEST:

I am a steady reader of TRUE WEST and I think it's real fine. But I'm afraid

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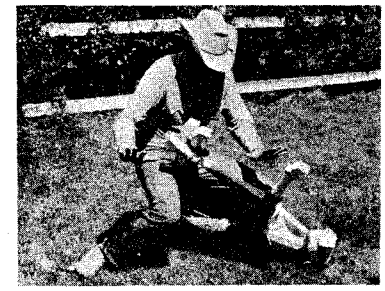

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You see, Old Joe is so scared he'll run out of the Turrible Rag that he's kept too many copies and every time us g.r.s in the circulation department go in the back issue room we have to just about crawl—never saw so many magazines!

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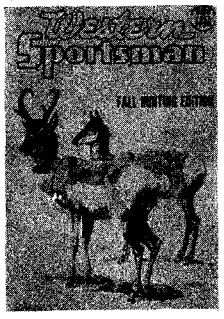

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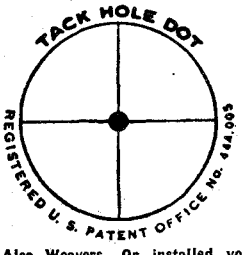

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you made a little mistake in the article, *Killer in Fancy Pants,* in the October, '56, issue. Bat Masterson is not standing on Luke Short's right; he is on the left. Wyatt Earp is not the second from the right; he is the third from the right. Also, in the article *Horse Thief* in a previous issue, you stated that Horse Thief Canyon is west of Dodge. On the contrary, it is about eleven miles *northeast* of Dodge.

Please don't think I'm running down TRUE WEST in pointing out these small errors, for I'm not. I think it's swell.

Any time you want pictures and information on Dodge City, the Beeson Museum here is a good source of material—Bob Goddard, Dodge City, Kansas.

Mr. Nino Lo Bello, Dear Sir:

I read your story in TRUE WEST about Poker Alice, in which you stated that she was buried in Sturgis, Colorado. Sorry to correct you, but that is not the truth. Poker Alice was buried in Sturgis, South Dakota. Her funeral services were held in St. Martin's Catholic Church. I attended her funeral when I was eleven years old.—Bob Hudson, Mexican Hat, Utah.

Author Writes

Gentlemen:

I take this opportunity to second what your recent correspondent, Jack Weaver, said about some of the articles that appeared in the early issues of TRUE WEST. I hardly felt qualified to write you on the subject because, although I was born and raised in the West, I did not reach my majority until the beginning of the present century. Also, I have been away from the West for many years, and there is undoubtedly a great deal I never learned or do not remember. But I really think I do know enough about the real WEST to recognize a "windy" when I see one. I go along with Mr. Weaver in agreeing that a "few of the articles you printed read suspiciously like fiction—and mighty poor fiction at that."

When I submitted a story to TRUE WEST about the death of Ben Kilpatrick—whom, I believe, was the last of the Hole-in-the-Wall Gang to be accounted for—you insisted on careful documentation. Newspapers refused to co-operate, and old friends and associates were either dead or their whereabouts unknown. However, I did manage to meet your requirements so that the article now in your files awaiting publication is authentic in every respect. With best wishes for the New Year—Burr H. Mallory, R. D. 1, Belvidere, N. J.

Buffalo Knocks Out His Fifth Car!

Howdy, Norm:

Seein' as how you are the buffalo expert on TW along with being the top chronicler of the Noble Red Man, I thought I'd pass along the following to you hot off the Alaska AP wire:

"Old Joe, the Buffalo who considers the automobile his mortal enemy, is still undefeated champion of the Alaska highways.

"The Fish and Wildlife Service disclosed that Joe recently took a dislike for a territorial police cruiser. He charged it, caught up with it, butted it into a wreck, and left it in a ditch. None of the occupants was harmed, and Old Joe left the "ring" without a sign of injury. The Service said that this quick knockout win was Old Joe's fifth straight victory over the automobile in recent years. He has no defeats."

Mebbe you *Cheehakoes* down there in the States are getting soft, but not us ol' sourdoughs in Alaska!—Jack Weaver, Totem Lodge, Anchorage, Alaska.

TW Articles Too Long?

Editor, TRUE WEST:

There is one suggestion I might make to you on the contents of TRUE WEST, and that is this:

Some of the articles are entirely too long for the businessman to read. There is repetition in some pieces, making the reader tired of them. I have in mind *Lords of the South Plains,* which is entirely too verbose and out of all reason, for it covers many pages. The fact is, we are living in an age of brevity. Men today want to do things in a hurry, to cover the situations with as little time as possible. I trust that you will take this suggestion in the spirit in which it is given—Charles H. Vance, 11 South San Joaquin St., Stockton 2, California.

Editor's Note: We'd welcome reader comment on Mr. Vance's thought-provoking letter. Naturally, some subjects require fuller treatment than others, but even so, we'd sure hate to think that we were boring some of our readers with too lengthy articles.

Cowboy's Prayer

O Lord, I've never lived where churches grow;
I've loved Creation better as it stood,
That day You finished it so long ago,
And looked upon Your work and called it good.
Just let me live my life as I've begun!
And give me work that's open to the sky;
Make me a partner of the wind and sun,
And I won't ask a life that's soft and high.
Make me as big and open as the Plains;
As honest as the horse between my knees;
Clean as the wind that blows behind the rains;
Free as the hawk that circles down the breeze.
Just keep an eye on all that's done and said;
Just right me sometime when I turn aside;
And guide me on the long, dim trail ahead—
That stretches upward toward the Great Divide.

—Author Unknown

"Thunderation, wake up, Slim, we've been robbed!"

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WESTERN BOOK ROUNDUP

By The Old Bookaroos

TEXAS RANGERS

Walter Prescott Webb's THE STORY OF THE TEXAS RANGERS (Grosset & Dunlap, $2.95) is a highly entertaining account of this greatest of all State law enforcement organizations. It is a volume in the "Illustrated True Books" series for young readers — young readers from 7 to 70 will surely like it. Dr. Webb is one of our soundest historians and he knows how to make the events of history live. His THE TEXAS RANGERS (Boston, 1935) is the definite history of these famous fighting peace officers. And this book is a worthy successor — the story is here, told with restraint and economy from Jack Hays to Frank Hamer. Samuel Walker and the Rangers' Gun (Walker's Colt); "Rip" Ford and the Cortina War; the Salt War; the Killing of Sam Bass and many other thrilling incidents are simply told. And Nick Eggenhofer has done his usual competent job on the numerous illustrations. Highly recommended.

RANGE LIFE

James H. Cook's FIFTY YEARS ON THE OLD FRONTIER (University of Oklahoma Press, $4) is a reprint of one of the really informative books about the Southwest. It has long been out of print and bringing high prices in the rare book marts. J. Frank Dobie in his GUIDE TO THE LIFE AND LITERATURE OF THE SOUTHWEST (Dallas, 1952) says, "Nothing better on cow work in the brush country and trail driving in the seventies has appeared." We agree. This fine reprint has an introduction by Dobie praising Jim Cook's perspective and maturity. Pancho Dobie is an old brush country boy and he is bound to have weighed a book about his home land mighty carefully — praise from him is praise indeed. THE OLD BOOKAROOS remember with much pleasure the visits to Cook's Agate Springs Ranch on the Niobrara in western Nebraska in the thirties. Here we took elementary lessons in sign talk and listened to Jim's stories. He was a great hospitable Westerner and he wrote a great book.

Clel Georgetta, author of WOOL, BEEF, AND GOLD (Pacific Books, $4.75) has written thirteen marvelous stories about the working days o a pioneer ranch in Sage River Valley of Nevada.

The aching loneliness of a solitary existence is graphically conveyed in the story of "Freeda" where the lonely bachelor orders a bride from Sears and Roebuck. There's real comedy in the antics of a blackfaced ewe. If you've ever run sheep, you know that after being pampered all winter they will often reward you by contemptuously turning up their toes and dying. All of the perversity of sheep is portrayed in the story called "They Die in the Spring."

This is a book dealing with the honest realities of ranching. These folks worked hard to make a living and had no time nor inclination for gun-slinging and killing and other forms of hell-raising often accepted as the conventional aspects of ranch life.

Ralph LeRoy Milliken's CALIFORNIA DONS (Academy Library Guild, $3) is essentially the story of the Spanish way of ranch life a hundred years ago. That the author calls it fiction is to his credit since the book is based on the personal memories of the major character in the book, Senor Don Estolano Larios. His father owned the Rancho de San Antonio adjoining Mission San Juan Bautista and was part owner of the much larger Rancho de Santa Ana y Quien Sabe. This is good story telling and the fine photographs add to the value of the book.

WESTERN WILDLIFE

Carroll Dewilton Scott's HERE'S DON COYOTE (Westernlore, $4.50) is chock full of coyote lore. It is simply written and will be read with pleasure by the young and old alike. It is beautifully printed and enhanced with 8 drawings by Clarence Ellsworth. The author is a naturalist, a real "pro," and this is a pro job.

THE GUIDE TO JAVELINA (Naylor, $3.75) is a highly entertaining account of the hunting of the little wild pig of Arizona by a licensed guide, Ralph A. Fisher, Sr. There is also much of the Arizona desert, canyons, and mountains in this book and of cacti and other Arizona wildlife — and of hunters and hunting guns. So far as this reviewer knows, this is the first book about the "Have-a-leena" and it is a mighty good one. There are some fine photographs and it adds up to a *must* for the outdoor man.

COUNTY HISTORY

THE PALO PINTO STORY (Manney, $4) by Mary Whatley Clarke is the story of old-timers of her home county. Mrs. Clarke, a former newspaper woman, is adept at choosing interesting copy from the experiences of Texas pioneers and this volume is one of the best from her versatile pen. The book is illustrated with numerous pioneer scenes. It is the first history of this cow country county.

INDIANS

In THE UTES (Sage, $5) Wilson Rockwell, Colorado ranchman, has collected the fragmentary bits of Ute history and compiled an extremely valuable volume on this little-known tribe of American Indians. The book chronicles their story from pre-history to the time they were finally corralled on the reservations in Colorado and Utah.

There were Utes, friendly to whites, like Chief Ouray and his kindly squaw, the famous Chipeta. There were Utes who were dedicated to fighting whites like Douglas, Johnson and lazy, cowardly Colorow. Utes, like other red men, resented white invasion of their tribal hunting grounds. Being aggressive war-

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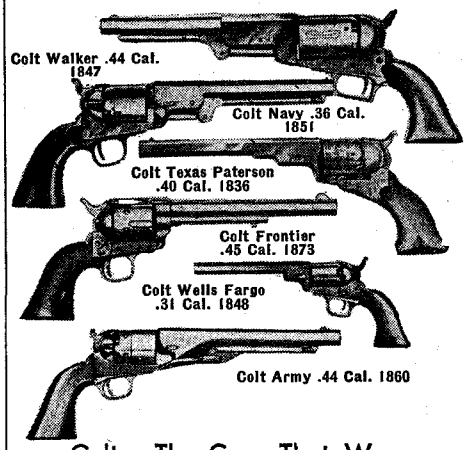

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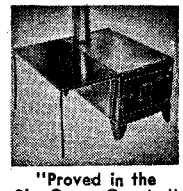

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riors, they campaigned vigorously against white invaders until subdued by overwhelming U. S. military power. The early Ute-white struggle was as vigorous and bloody as any known in United States Indian history.

Probably the most widely known bit of Ute history is the Meeker Massacre involving the heartless killing of overtrusting Indian agent Nathan Meeker and staff and the harrowing experiences of his wife, daughter and other white women captured by enraged Utes.

PIONEER DAYS

THE GHOST TOWNS OF WYOMING (Hastings, $7.50) by Mary Lou Pence and Lola M. Homsher is much more than an interesting account of the early towns of Wyoming. Brought to life by the experiences of the hardy men and women who peopled these towns, much of the book is highly readable Wyoming history. Here are the stories of the frontier forts, the coming of the railroad, the gold and copper discoveries, and the beginnings of the cattle industry. All of these had a part in the birth, and frequently the death, of Wyoming's first settlements. There are numerous illustrations from early photographs and eight reproductions of C. M. Russell paintings, one of which has not previously been published. Recommended.

GOLD!

Leland Lovelace's LOST MINES AND HIDDEN TREASURE (Naylor, $4) is a series of short accounts of the finders (and losers) and the subsequent searches for lost and buried gold and silver in the Southwest. If the book lacks the charm of CORONADO'S CHILDREN or APACHE GOLD AND YAQUI SILVER, remember there is only one J. Frank Dobie. Lovelace, a pen name, whoever he is, has an entertaining style of his own. And tongue-in-cheek, he gives directions for beginning the search for the Lost Dutchman or Nigger Ben's or Pegleg Smith's (two of 'em) and dozens of others. There are some new stories, at least to this reviewer, that you will like.

AND A CITY GUIDE

Herb Caen's GUIDE TO SAN FRANCISCO (Doubleday, $2.95) is tops. This reviewer had the unusual experience of receiving the book one day and leaving for San Francisco the next. He found it an excellent guide on where to go, what to see, and where to eat. A week was far too short a time to follow all the leads and the book will serve as a guide on future visits. It is also recommended highly to those who have never been in the Bay area, although it will also surely make you want to see for yourself the wonders of distinctive San Francisco.

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Wild Old Days

(Continued from page 29)

of tangle-leg throughout the long day of waiting and the crowd was congenial — to say the least. Somebody stumbled and cussed. Yager cried out sharply and the crowd bawled hoarse warnings. There was a splintering crash and all Panamint was quiet.

Weeks later the Panamint *News* made this droll observation:

> "The long-vacant space behind the bar of Yager's Dexter Saloon is now amply filled by five elegant chromos, representing the delightful and romantic scenery of the Rhine, and so disposed as to present, to our taste at least, a much more pleasing and satisfactory scene than the reflection of a miner wearing a dirty shirt."

THE FIRST LAWSUIT IN NO MAN'S LAND, I. T.

By Oliver M. Nelson as told to Harry E. Chrisman

ONE day in 1887, the Dodge-Elliott stage stopped at Beaver, changed teams and moved south. It left a passenger, dressed in a soup dish hat, bald-faced shirt, toothpick shoes and claw hammer coat — a figure right out of college, a lawyer come West to grow up with the country and learn the people.

He shook hands right and left. One old duck he met told the lawyer that his boy was tied up for stealing a horse (Beaver had no jailhouse) and offered to give the lawyer $100 to get him out.

In 1887 a hundred dollars was BIG. So the new man said that he would free the boy.

The judge was running a butcher shop. Tainter, a cattleman, was furnishing the beef, wet beef, and wouldn't miss it until the spring roundup. They had no ice; couldn't close the shop while trade was good, so the trial was set for 8 p. m.

When he closed the shop, the judge put on a slicker, slipped a piece of calf liver in the pocket, and moved over to the sod shanty that served as courtroom when they closed the saloon within it.

The judge called court. A peeler acted as prosecutor and got one witness to swear the stolen horse was worth $300. It looked bad for the boy.

The newcomer lawyer asked the witness if he, himself, would give $300 for the horse.

The witness answered "Hell, no!"

The father of the accused boy took the stand. The boy used the best language, said grace at the table daily, always minded his mother, went to Sunday school and church regularly, his father testified.

The bronc-peeling prosecutor said, "You old fool, there ain't no church this side o' Dodge!" That set up quite a talk in the courtroom.

The new lawyer said, "Now please, Your Honor . . . "

The judge interrupted him ferociously. "I won't have no such language used in this court!" With that he hit the defending attorney in the face with the wet calf liver.

The boys in the back began shooting into the dirt roof of the soddy. Someone hollered, "Run for your life!"

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The new lawyer dashed from the court. A driver with a team of small mules hitched to a buckboard without yelled, "Get in! I'll get you out of town!" They left in high, crossed the dry river, and took one of several roads through the sand dunes to the north.

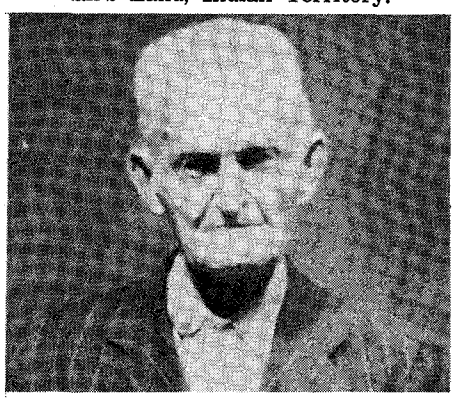
An hour later, the driver pulled up and said, "My Gawd, they're ahead of us. You'll have to hide out."

The lawyer scrambled out of the buckboard and hid behind a dune. The driver turned back.

It was ten miles, but sandy — fairly easy on the feet. The lawyer walked back from Tarbox, gradually becoming more learned.

Back at Beaver, they filled up on tiger milk, shot and hollered 'till late, went home and slept 'till they got hun gry.

That was the first lawsuit in Beaver, No Man's Land, Indian Territory.



Oliver M. Nelson, born October 6, 1861. Freighter, camp cook, cowboy, frontiersman in Kansas, Indian Territory, Texas and Oklahoma.

DO THE APACHES GUARD THE SUPERSTITIONS?

By Keith J. Prescott

A retired seaman, making his 28th attempt to find the elusive Lost Dutchman mine in the Superstition Mountains near Mesa, Arizona, comes forth with a strange and almost unbelievable tale of "obstacles" in his path.

Charlie Parker, who believes he is finally fairly close to discovery of at least one of the hidden Peralta gold claims, if not the fabulous "Dutchman," has been followed closely by "pint-size" Apache Indians since entering the mysterious Superstition range for the 28th time in ten years some months ago.

"You might think I'm loco," said the determined treasure hunter, "but I swear I frequently catch sight of those small Indians along the trail, especially in certain regions, and recently captured two of them prowling around my camp."

Well-equipped for his latest search, Parker claims he released his two captives after learning they meant him no harm, but intended to see that he did not stumble upon their ceremonial cave.

"One of the Indians, who I still see frequently hiding behind some boulder while spying on my movements, told me that his band is small in number, but that they are determined to keep me away from their sacred cave.

"I have heard stories of a ceremonial cave somewhere in this vast mountain region, but I have no idea where it is located," Parker declared.

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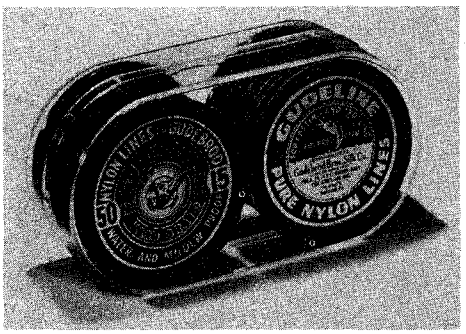

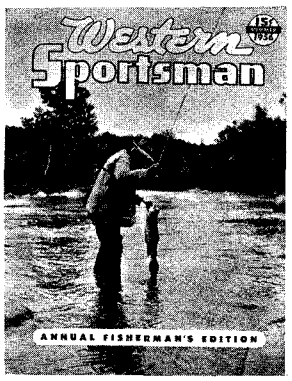

I told you we'd been eating loco weed!

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IMPORTANT! This may appear to be one of those "too good to be true" offers but again we say — THERE IS NO CATCH! So fill out the blank now while it's on your mind—otherwise you'll forget it sure! You may send the magazine and fishing line to a friend as a gift if you wish.

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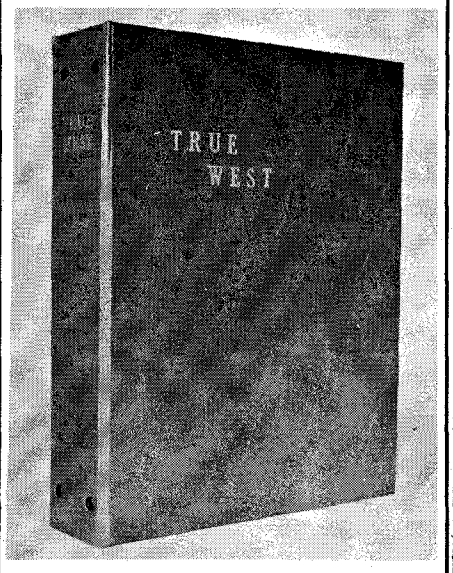

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Parker believes he is on the verge of locating one of the early Spanish gold mines, which were sealed up by Indians nearly 100 years ago to prevent the white man from invading their territory, as the result of his conversation with his small captive.

"My little Indian captive seemed to know what I was looking for, and while offering no guidance told me that I had walked within 300 yards of one of the covered Spanish mines.

"I believe it's just a matter of time before I can pinpoint the spot the Indian referred to," said Parker.

The Indians told him they were not interested in the gold, only in protecting their cave, which they indicated was still used for sacred rites handed down by their ancestors.

Parker recently found a man equally interested in the search for the lost mine and a partnership was formed. It was through his partner's knowledge of the Apache tongue that they were able to question the Indians.

Due to the lack of rain throughout most of Arizona there are only two waterholes now in the entire Superstition region, which are controlled by Parker and his partner.

With large mountain lions prowling close to his campsite at the base of the mountains at night, Parker is forced to leave the cover off one of the rock springs to prevent the wild beasts from damaging the other remaining source of water.

Claiming California as his home state, Parker spends four or five months in the Superstitions and then returns home to his wife and daughter. He has a late model Jeep and a well-equipped trailer at his disposal which he leaves at the base of the mountains.

"In spite of what you read in various newspapers and magazines, there is no periodic mass invasion of the Superstitions by treasure hunters and prospectors," said Parker.

"In the ten years that I've been prowling around this mountain range, I've seen only a few persons really back in the interior. Most of those tire of this rugged country after a day or two."

Parker labels as "pure hogwash" most of the accounts of headless corpses found in the Superstitions. "These tales stem from the imagination of some fiction writer," Parker declared.

The retired seaman, who many years ago decided to spend his remaining years doing what he always wanted to do, said he knows that at least two of the "victims" of the dark mysterious mountain died from falls.

"A recent article written by a man who claims he has been a member of organized search parties when some of the headless corpses have been found is also hogwash," Parker asserted.

"This man has never been known to enter the Superstitions. He seldom leaves his ranch at the base of the range, but apparently he has a good imagination."

According to Parker, an organization known as "The Dons" of Phoenix stages an annual trek supposedly to look for the Lost Dutchman, but go only as far as the first foot trail at the base will take them.

RODEO REVIEW

Are you thinking of attending the Rodeo? Jest in case you're new in this rodeo game and don't savvy cowboy talk, cast your eyes over this list of puncher lingo. See if you can answer by matching, allowing yourself ten points for each correct answer. A score of eighty or more makes you a real cowhand.

1. Being thrown from a horse.
2. When a bronc rider grabs the horn of the saddle to keep from being thrown.
3. Horse that leaps high when bucking.
4. Saddle horses on a roundup.
5. A term contemptuously applied to mild bucking motions.
6. To separate animals from herd.
7. Cowboy.
8. A word of Mexican origin for a mean horse.
9. A wild mare.
10. Steer wrestling, the throwing of a steer by his horns.

a. Bronco	f. Grabbin' the apple
b. Buckaroo	g. Biting the dust
c. Bulldogging	h. Cavy
d. Broomtail	i. Crow-hops
e. Cut-out	j. High-roller

ANSWERS

1. g.	6. e.
2. f.	7. b.
3. j.	8. a.
4. h.	9. d.
5. i.	10. c.

—Floyd A. Sheppard

ZOE A. TILGHMAN SAYS

Dear Joe Small:

This is to tell you how much I was pleased with Bill Burchardt's article on my husband, Bill Tilghman, titled *Who Was the Greatest Law Man?* It is correct in material, and I think Mr. Burchardt's deductions from those facts are also correct. No doubt, as he says, the article will get him into a controversy with admirers of other heroes, real or fake. I take it you will not be sorry to receive some hot letters on this subject for your columns.

One letter in this issue (January-February) boldly clears up "Whether Wyatt Earp was ever a marshal." The writer is correct in saying that Wyatt Earp was appointed *town marshal* of Dodge City. Since reading Bill Burchardt's article I have been doing a little checking, with Stewart Lake's *Frontier Marshal* as the best authority. From that book I find that Earp served in a marshal's capacity 2 years and 18 days.

"Mister Butterworth, sir, from all indications Walking Dog has picked up a clue."

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Bill Tilghman held the same position for two years; a period in which the greatest number of cattle were driven up the Trail. (Reference, Robert M. Wright's *Dodge City, the Cowboy Capital,* page 260). In listing Tilghman's services, Mr. Burchardt omitted this, perhaps because Bill held a deputy sheriff commission from Pat Sughrue during that time. Altogether, Bill Tilghman served as an officer at Dodge City for a period of six years. It is a fair inference that in those six years he must have met and handled as many or more badmen and dangerous situations than any other officer who ever served at Dodge.

Your correspondent advances the curious idea that Wyatt Earp continued as "U.S. Marshal of the Southeastern District of Arizona" because "he was never relieved!" Such appointment expired with the term of the appointing superior. Also, when Earp left the Territory and ceased to act, that was surely a *de facto* resignation.

I understand that the early records of Arizona are rather incomplete. But surely if Earp held such a position as marshal of the Southeastern District, there would be a record in Washington; since such appointments had to be made by the President, and were part of the records of the Department of Justice. Lake's book does not call Earp marshal, but only says he was made a deputy. Query: Was the "Southeastern District of Arizona" organized at that time? President Theodore Roosevelt appointed Ben Daniels, an old Dodge City man and also a Rough Rider, to be U. S. Marshal for the Territory of Arizona.

Earp's activities in that capacity appear to have been a trip to Clanton's ranch, with an Army officer, in search of some stolen Government mules, which was properly a marshal's duty. Pursuit of stage robbers who interfered with U.S. mails, was also a Federal job. But it appears that the Clantons and others came into town (Tombstone) without the U.S. deputy making any attempt to serve warrants on them. The rest of the story seems to be mostly personal feud. I am not an authority on Arizona history, and Wyatt Earp and Bill Tilghman were always good friends. I am just pointing out some of the mix-up and hoping your correspondents can clear it up.

According to Lake's book, Wyatt Earp's total official service was between six and eight years.

WHILE I'm on the subject, let's get rid of the mistakes and confusions about law officers and their positions. Most of it, no doubt, comes from the use of the word *marshal* in two different senses. We wouldn't expect a sheriff or U.S. Deputy Marshal to arrest a driver for making a wrong turn, today. Yet in so many Western writings, movies, etc., we see a *town marshal* from Bingeville chase across the country and assume command of a posse composed of officers who are his superior in rank. They called him marshal because he was the whole force, or perhaps he had one assistant. Today, we more often say *Chief of Police.* But the offices were and are the same, only some cities are bigger.

A City Marshal was appointed or elected to enforce the city ordinances, and his arrests went to the police court. If he chanced to arrest for a serious crime the case was then, as now, turned over to the county. His authority ended at the city limits.

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The sheriff was elected to enforce the laws of the State or Territory, within the *county* limits. He was superior to the town marshal. Sometimes he made the latter a deputy sheriff in order to deal better with violators of the state laws. Arrests were made on investigation or on warrant issued by the court. City marshals did not have warrants for arrest. The United States Marshal was and is a Federal officer, under the Department of Justice. He is appointed by the President, with endorsement of the U.S. Senator and leading men of his party in that State. His duty is to enforce the laws of the United States. He has no concern with a killing or hold-up, unless there is a Federal angle to the case, as with a mail robbery, or the crime taking place on a Government reservation or property. His territory is fixed; it may be a whole State or part of a State. He works chiefly with warrants issued, but may make arrests *in flagrante*. His term of office is four years, the same as the President appointing him. But he may be re-appointed.

He is allowed deputies, men approved by the Department of Justice, their number fixed according to the estimated needs of his district. He gives them written commissions, signed by himself. One "hero" gave himself away by claiming he had a commission "signed by Judge P--- himself."

In the last twenty years, much of the criminal work of the marshal's office has been taken over by the FBI; but he continues as an executive officer of the Federal court. Salaries are paid from the Congressional appropriation for the Department of Justice.

So when you read about or see a town marshal taking command of a posse composed of the local sheriff and deputies and riding way out of town to capture a killer... Ho-hum! And if the town marshal is claimed to be a Deputy U.S. Marshal at the time, he is straying entirely outside of his duty or official authority. He rates only as a private citizen chosen for a temporary posseman by the sheriff, with whom the jurisdiction lies.

Generally, any peace officer can deputize a bystander to help him in a bad situation, but such temporary officer is out when the emergency ends. For large manhunts, sheriffs and U.S. Marshals can deputize possemen before setting out. The Federal Government or the county pays them for actual time of service.

WHEN a sheriff or U.S. Deputy Marshal trails a fugitive to another county or district, it is his duty to contact the nearest local officer to assist him, unless in immediate pursuit. In Oklahoma, in Territorial days, it was customary for each of the two U.S. Marshals to give courtesy commissions to two or three picked deputies of the other. These carried no salary but enabled the holder to follow directly into the other district without loss of time in contacting an officer there. In the days before automobiles and telephones, this was of some little value. I presume a similar custom prevailed in other districts.

If the visiting officer made an arrest and got a reward, he was, of course, expected to share it with the marshal.

Rewards are often misunderstood. Comparatively few were offered for "alive or dead." Most of them read "For arrest and conviction." So when a wanted man was captured, that did not mean the officer could go blithely over and collect.

Legislatures voted appropriations of money which were placed in the hands of the governor. From this he could offer rewards, but he could not afford to be too generous. Amounts of $250 to $500 were usual. For a particularly bad man it might be $1,000. Railroads and express companies also offered rewards, so that the total for the worst men might be $5,000. If your man broke jail before trial, or the prosecution failed to convict him on trial, no rewards were collectable. But if you shot it out and killed a real bad man, with the offers "dead or alive," then you could collect.

I hope this will help to clear up such muddy thinking and use of terms. So many do not seem to realize that even in the Old West, the three-fold organization of law enforcement was basically as it is today.

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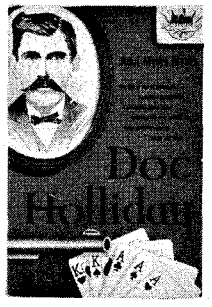

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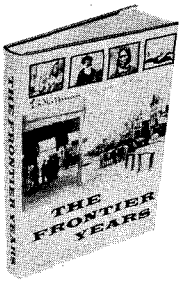

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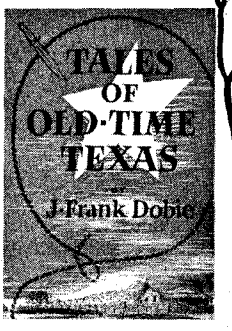

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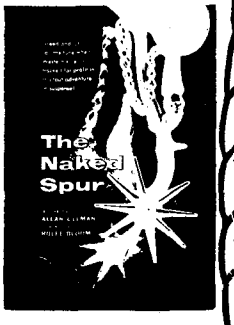

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